

PUBLIC ADMINISTRATION REVIEW

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FEATURED IN THIS ISSUE:

The Science of "Muddling Through," by Charles E. Lindblom

The New Reform Movement in Regulatory Administration, by Ferrel Heady

The City Manager and the Policy Process, by C. A. Harrell and D. G. Weiford

SPRING 1959

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in this number

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The Science of "Muddling Through"

By CHARLES E. LINDBLOM

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SUPPOSE an administrator is given responsibility for formulating policy with respect to inflation. He might start by trying to list all related values in order of importance, e.g., full employment, reasonable business profit, protection of small savings, prevention of a stock market crash. Then all possible policy outcomes could be rated as more or less efficient in attaining a maximum of these values. This would of course require a prodigious inquiry into values held by members of society and an equally prodigious set of calculations on how much of each value is equal to how much of each other value. He could then proceed to outline all possible policy alternatives. In a third step, he would undertake systematic comparison of his multitude of alternatives to determine which attains the greatest amount of values.

In comparing policies, he would take advantage of any theory available that generalized about classes of policies. In considering inflation, for example, he would compare all policies in the light of the theory of prices. Since no alternatives are beyond his investigation, he would consider strict central control and the abolition of all prices and markets on the one hand and elimination of all public controls with reliance completely on the free market on the other, both in the light of whatever theoretical generalizations he could find on such hypothetical economies.

Finally, he would try to make the choice that would in fact maximize his values.

An alternative line of attack would be to set as his principal objective, either explicitly or without conscious thought, the relatively simple goal of keeping prices level. This objective might be compromised or complicated by only a few other goals, such as full em-

► Short courses, books, and articles exhort administrators to make decisions more methodically, but there has been little analysis of the decision-making process now used by public administrators. The usual process is investigated here—and generally defended against proposals for more "scientific" methods.

Decisions of individual administrators, of course, must be integrated with decisions of others to form the mosaic of public policy. This integration of individual decisions has become the major concern of organization theory, and the way individuals make decisions necessarily affects the way those decisions are best meshed with others'. In addition, decision-making method relates to allocation of decision-making responsibility—who should make what decision.

More "scientific" decision-making also is discussed in this issue: "Tools for Decision-Making in Resources Planning."

ployment. He would in fact disregard most other social values as beyond his present interest, and he would for the moment not even attempt to rank the few values that he regarded as immediately relevant. Were he pressed, he would quickly admit that he was ignoring many related values and many possible important consequences of his policies.

As a second step, he would outline those relatively few policy alternatives that occurred to him. He would then compare them. In comparing his limited number of alternatives, most of them familiar from past controversies, he would not ordinarily find a body of theory precise enough to carry him through a comparison of their respective consequences. Instead he would rely heavily on the record of past experience with small policy steps to predict the consequences of similar steps extended into the future.

Moreover, he would find that the policy alternatives combined objectives or values in different ways. For example, one policy might offer price level stability at the cost of some

risk of unemployment; another might offer less price stability but also less risk of unemployment. Hence, the next step in his approach—the final selection—would combine into one the choice among values and the choice among instruments for reaching values. It would not, as in the first method of policy-making, approximate a more mechanical process of choosing the means that best satisfied goals that were previously clarified and ranked. Because practitioners of the second approach expect to achieve their goals only partially, they would expect to repeat endlessly the sequence just described, as conditions and aspirations changed and as accuracy of prediction improved.

By Root or by Branch

For complex problems, the first of these two approaches is of course impossible. Although such an approach can be described, it cannot be practiced except for relatively simple problems and even then only in a somewhat modified form. It assumes intellectual capacities and sources of information that men simply do not possess, and it is even more absurd as an approach to policy when the time and money that can be allocated to a policy problem is limited, as is always the case. Of particular importance to public administrators is the fact that public agencies are in effect usually instructed not to practice the first method. That is to say, their prescribed functions and constraints—the politically or legally possible—restrict their attention to relatively few values and relatively few alternative policies among the countless alternatives that might be imagined. It is the second method that is practiced.

Curiously, however, the literatures of decision-making, policy formulation, planning, and public administration formalize the first approach rather than the second, leaving public administrators who handle complex decisions in the position of practicing what few preach. For emphasis I run some risk of overstatement. True enough, the literature is well aware of limits on man's capacities and of the inevitability that policies will be approached in some such style as the second. But attempts to formalize rational policy formulation—to lay out explicitly the necessary steps in the

process—usually describe the first approach and not the second.¹

The common tendency to describe policy formulation even for complex problems as though it followed the first approach has been strengthened by the attention given to, and successes enjoyed by, operations research, statistical decision theory, and systems analysis. The hallmarks of these procedures, typical of the first approach, are clarity of objective, explicitness of evaluation, a high degree of comprehensiveness of overview, and, wherever possible, quantification of values for mathematical analysis. But these advanced procedures remain largely the appropriate techniques of relatively small-scale problem-solving where the total number of variables to be considered is small and value problems restricted. Charles Hitch, head of the Economics Division of RAND Corporation, one of the leading centers for application of these techniques, has written:

I would make the empirical generalization from my experience at RAND and elsewhere that operations research is the art of sub-optimizing, i.e., of solving some lower-level problems, and that difficulties increase and our special competence diminishes by an order of magnitude with every level of decision making we attempt to ascend. The sort of simple explicit model which operations researchers are so proficient in using can certainly reflect most of the significant factors influencing traffic control on the George Washington Bridge, but the proportion of the relevant reality which we can represent by any such model or models in studying, say, a major foreign-policy decision, appears to be almost trivial.²

Accordingly, I propose in this paper to clarify and formalize the second method,

¹ James G. March and Herbert A. Simon similarly characterize the literature. They also take some important steps, as have Simon's recent articles, to describe a less heroic model of policy-making. See *Organizations* (John Wiley and Sons, 1958), p. 137.

² "Operations Research and National Planning—A Dissent," 5 *Operations Research* 718 (October, 1957). Hitch's dissent is from particular points made in the article to which his paper is a reply; his claim that operations research is for low-level problems is widely accepted.

For examples of the kind of problems to which operations research is applied, see C. W. Churchman, R. L. Ackoff and E. L. Arnoff, *Introduction to Operations Research* (John Wiley and Sons, 1957); and J. F. McCloskey and J. M. Copping (eds.), *Operations Research for Management*, Vol. II, (The Johns Hopkins Press, 1956).

much neglected in the literature. This might be described as the method of *successive limited comparisons*. I will contrast it with the first approach, which might be called the rational-comprehensive method.³ More impressionistically and briefly—and therefore generally used in this article—they could be characterized as the branch method and root method, the former continually building out from the current situation, step-by-step and by small degrees; the latter starting from fundamentals anew each time, building on the past only as experience is embodied in a theory, and always prepared to start completely from the ground up.

Let us put the characteristics of the two methods side by side in simplest terms.

Rational-Comprehensive (Root)

- 1a. Clarification of values or objectives distinct from and usually prerequisite to empirical analysis of alternative policies.
- 2a. Policy-formulation is therefore approached through means-end analysis: First the ends are isolated, then the means to achieve them are sought.
- 3a. The test of a "good" policy is that it can be shown to be the most appropriate means to desired ends.
- 4a. Analysis is comprehensive; every important relevant factor is taken into account.
- 5a. Theory is often heavily relied upon.

Assuming that the root method is familiar and understandable, we proceed directly to clarification of its alternative by contrast. In explaining the second, we shall be describing how most administrators do in fact approach complex questions, for the root method, the "best" way as a blueprint or model, is in fact not workable for complex policy questions, and administrators are forced to use the method of successive limited comparisons.

Intertwining Evaluation and Empirical Analysis (1b)

The quickest way to understand how values are handled in the method of successive lim-

ited comparisons is to see how the root method often breaks down in its handling of values or objectives. The idea that values should be clarified, and in advance of the examination of alternative policies, is appealing. But what happens when we attempt it for complex social problems? The first difficulty is that on many critical values or objectives, citizens disagree, congressmen disagree, and public administrators disagree. Even where a fairly specific objective is prescribed for the administrator, there remains considerable room for disagreement on sub-objectives. Consider, for example, the conflict with respect to locating public housing, described in Meyerson and Banfield's study of the Chi-

Successive Limited Comparisons (Branch)

- 1b. Selection of value goals and empirical analysis of the needed action are not distinct from one another but are closely intertwined.
- 2b. Since means and ends are not distinct, means-end analysis is often inappropriate or limited.
- 3b. The test of a "good" policy is typically that various analysts find themselves directly agreeing on a policy (without their agreeing that it is the most appropriate means to an agreed objective).
- 4b. Analysis is drastically limited:
 - i) Important possible outcomes are neglected.
 - ii) Important alternative potential policies are neglected.
 - iii) Important affected values are neglected.
- 5b. A succession of comparisons greatly reduces or eliminates reliance on theory.

cago Housing Authority⁴—disagreement which occurred despite the clear objective of providing a certain number of public housing units in the city. Similarly conflicting are objectives in highway location, traffic control, minimum wage administration, development of tourist facilities in national parks, or insect control.

Administrators cannot escape these conflicts by ascertaining the majority's preference, for preferences have not been registered on most issues; indeed, there often are no preferences in the absence of public discussion sufficient to bring an issue to the attention of the electorate. Furthermore, there is a question

³I am assuming that administrators often make policy and advise in the making of policy and am treating decision-making and policy-making as synonymous for purposes of this paper.

⁴Martin Meyerson and Edward C. Banfield, *Politics, Planning and the Public Interest* (The Free Press, 1955).

of whether intensity of feeling should be considered as well as the number of persons preferring each alternative. By the impossibility of doing otherwise, administrators often are reduced to deciding policy without clarifying objectives first.

Even when an administrator resolves to follow his own values as a criterion for decisions, he often will not know how to rank them when they conflict with one another, as they usually do. Suppose, for example, that an administrator must relocate tenants living in tenements scheduled for destruction. One objective is to empty the buildings fairly promptly, another is to find suitable accommodation for persons displaced, another is to avoid friction with residents in other areas in which a large influx would be unwelcome, another is to deal with all concerned through persuasion if possible, and so on.

How does one state even to himself the relative importance of these partially conflicting values? A simple ranking of them is not enough; one needs ideally to know how much of one value is worth sacrificing for some of another value. The answer is that typically the administrator chooses—and must choose—directly among policies in which these values are combined in different ways. He cannot first clarify his values and then choose among policies.

A more subtle third point underlies both the first two. Social objectives do not always have the same relative values. One objective may be highly prized in one circumstance, another in another circumstance. If, for example, an administrator values highly both the dispatch with which his agency can carry through its projects and good public relations, it matters little which of the two possibly conflicting values he favors in some abstract or general sense. Policy questions arise in forms which put to administrators such a question as: Given the degree to which we are or are not already achieving the values of dispatch and the values of good public relations, is it worth sacrificing a little speed for a happier clientele, or is it better to risk offending the clientele so that we can get on with our work? The answer to such a question varies with circumstances.

The value problem is, as the example shows, always a problem of adjustments at a margin. But there is no practicable way to

state marginal objectives or values except in terms of particular policies. That one value is preferred to another in one decision situation does not mean that it will be preferred in another decision situation in which it can be had only at great sacrifice of another value. Attempts to rank or order values in general and abstract terms so that they do not shift from decision to decision end up by ignoring the relevant marginal preferences. The significance of this third point thus goes very far. Even if all administrators had at hand an agreed set of values, objectives, and constraints, and an agreed ranking of these values, objectives, and constraints, their marginal values in actual choice situations would be impossible to formulate.

Unable consequently to formulate the relevant values first and then choose among policies to achieve them, administrators must choose directly among alternative policies that offer different marginal combinations of values. Somewhat paradoxically, the only practicable way to disclose one's relevant marginal values even to oneself is to describe the policy one chooses to achieve them. Except roughly and vaguely, I know of no way to describe—or even to understand—what my relative evaluations are for, say, freedom and security, speed and accuracy in governmental decisions, or low taxes and better schools than to describe my preferences among specific policy choices that might be made between the alternatives in each of the pairs.

In summary, two aspects of the process by which values are actually handled can be distinguished. The first is clear: evaluation and empirical analysis are intertwined; that is, one chooses among values and among policies at one and the same time. Put a little more elaborately, one simultaneously chooses a policy to attain certain objectives and chooses the objectives themselves. The second aspect is related but distinct: the administrator focuses his attention on marginal or incremental values. Whether he is aware of it or not, he does not find general formulations of objectives very helpful and in fact makes specific marginal or incremental comparisons. Two policies, X and Y, confront him. Both promise the same degree of attainment of objectives *a*, *b*, *c*, *d*, and *e*. But X promises him somewhat more of *f* than does Y, while Y promises him somewhat more of *g* than does

X. In choosing between them, he is in fact offered the alternative of a marginal or incremental amount of *f* at the expense of a marginal or incremental amount of *g*. The only values that are relevant to his choice are these increments by which the two policies differ; and, when he finally chooses between the two marginal values, he does so by making a choice between policies.⁵

As to whether the attempt to clarify objectives in advance of policy selection is more or less rational than the close intertwining of marginal evaluation and empirical analysis, the principal difference established is that for complex problems the first is impossible and irrelevant, and the second is both possible and relevant. The second is possible because the administrator need not try to analyze any values except the values by which alternative policies differ and need not be concerned with them except as they differ marginally. His need for information on values or objectives is drastically reduced as compared with the root method; and his capacity for grasping, comprehending, and relating values to one another is not strained beyond the breaking point.

Relations Between Means and Ends (2b)

Decision-making is ordinarily formalized as a means-ends relationship: means are conceived to be evaluated and chosen in the light of ends finally selected independently of and prior to the choice of means. This is the means-ends relationship of the root method. But it follows from all that has just been said that such a means-ends relationship is possible only to the extent that values are agreed upon, are reconcilable, and are stable at the margin. Typically, therefore, such a means-ends relationship is absent from the branch method, where means and ends are simultaneously chosen.

Yet any departure from the means-ends relationship of the root method will strike some readers as inconceivable. For it will appear to them that only in such a relationship is it possible to determine whether one policy choice is better or worse than another. How can an administrator know whether he has made a

wise or foolish decision if he is without prior values or objectives by which to judge his decisions? The answer to this question calls up the third distinctive difference between root and branch methods: how to decide the best policy.

The Test of "Good" Policy (3b)

In the root method, a decision is "correct," "good," or "rational" if it can be shown to attain some specified objective, where the objective can be specified without simply describing the decision itself. Where objectives are defined only through the marginal or incremental approach to values described above, it is still sometimes possible to test whether a policy does in fact attain the desired objectives; but a precise statement of the objectives takes the form of a description of the policy chosen or some alternative to it. To show that a policy is mistaken one cannot offer an abstract argument that important objectives are not achieved; one must instead argue that another policy is more to be preferred.

So far, the departure from customary ways of looking at problem-solving is not troublesome, for many administrators will be quick to agree that the most effective discussion of the correctness of policy does take the form of comparison with other policies that might have been chosen. But what of the situation in which administrators cannot agree on values or objectives, either abstractly or in marginal terms? What then is the test of "good" policy? For the root method, there is no test. Agreement on objectives failing, there is no standard of "correctness." For the method of successive limited comparisons, the test is agreement on policy itself, which remains possible even when agreement on values is not.

It has been suggested that continuing agreement in Congress on the desirability of extending old age insurance stems from liberal desires to strengthen the welfare programs of the federal government and from conservative desires to reduce union demands for private pension plans. If so, this is an excellent demonstration of the ease with which individuals of different ideologies often can agree on concrete policy. Labor mediators report a similar phenomenon: the contestants cannot agree on criteria for settling their disputes but can agree on specific proposals. Similarly, when

⁵ The line of argument is, of course, an extension of the theory of market choice, especially the theory of consumer choice, to public policy choices.

one administrator's objective turns out to be another's means, they often can agree on policy.

Agreement on policy thus becomes the only practicable test of the policy's correctness. And for one administrator to seek to win the other over to agreement on ends as well would accomplish nothing and create quite unnecessary controversy.

If agreement directly on policy as a test for "best" policy seems a poor substitute for testing the policy against its objectives, it ought to be remembered that objectives themselves have no ultimate validity other than they are agreed upon. Hence agreement is the test of "best" policy in both methods. But where the root method requires agreement on what elements in the decision constitute objectives and on which of these objectives should be sought, the branch method falls back on agreement wherever it can be found.

In an important sense, therefore, it is not irrational for an administrator to defend a policy as good without being able to specify what it is good for.

Non-Comprehensive Analysis (4b)

Ideally, rational-comprehensive analysis leaves out nothing important. But it is impossible to take everything important into consideration unless "important" is so narrowly defined that analysis is in fact quite limited. Limits on human intellectual capacities and on available information set definite limits to man's capacity to be comprehensive. In actual fact, therefore, no one can practice the rational-comprehensive method for really complex problems, and every administrator faced with a sufficiently complex problem must find ways drastically to simplify.

An administrator assisting in the formulation of agricultural economic policy cannot in the first place be competent on all possible policies. He cannot even comprehend one policy entirely. In planning a soil bank program, he cannot successfully anticipate the impact of higher or lower farm income on, say, urbanization—the possible consequent loosening of family ties, possible consequent eventual need for revisions in social security and further implications for tax problems arising out of new federal responsibilities for social security and municipal responsibilities for ur-

ban services. Nor, to follow another line of repercussions, can he work through the soil bank program's effects on prices for agricultural products in foreign markets and consequent implications for foreign relations, including those arising out of economic rivalry between the United States and the U.S.S.R.

In the method of successive limited comparisons, simplification is systematically achieved in two principal ways. First, it is achieved through limitation of policy comparisons to those policies that differ in relatively small degree from policies presently in effect. Such a limitation immediately reduces the number of alternatives to be investigated and also drastically simplifies the character of the investigation of each. For it is not necessary to undertake fundamental inquiry into an alternative and its consequences; it is necessary only to study those respects in which the proposed alternative and its consequences differ from the status quo. The empirical comparison of marginal differences among alternative policies that differ only marginally is, of course, a counterpart to the incremental or marginal comparison of values discussed above.⁶

Relevance as Well as Realism

It is a matter of common observation that in Western democracies public administrators and policy analysts in general do largely limit their analyses to incremental or marginal differences in policies that are chosen to differ only incrementally. They do not do so, however, solely because they desperately need some way to simplify their problems; they also do so in order to be relevant. Democracies change their policies almost entirely through incremental adjustments. Policy does not move in leaps and bounds.

The incremental character of political change in the United States has often been remarked. The two major political parties agree on fundamentals; they offer alternative policies to the voters only on relatively small points of difference. Both parties favor full employment, but they define it somewhat differently; both favor the development of

⁶A more precise definition of incremental policies and a discussion of whether a change that appears "small" to one observer might be seen differently by another is to be found in my "Policy Analysis," 48 *American Economic Review* 298 (June, 1958).

water power resources, but in slightly different ways; and both favor unemployment compensation, but not the same level of benefits. Similarly, shifts of policy within a party take place largely through a series of relatively small changes, as can be seen in their only gradual acceptance of the idea of governmental responsibility for support of the unemployed, a change in party positions beginning in the early 30's and culminating in a sense in the Employment Act of 1946.

Party behavior is in turn rooted in public attitudes, and political theorists cannot conceive of democracy's surviving in the United States in the absence of fundamental agreement on potentially disruptive issues, with consequent limitation of policy debates to relatively small differences in policy.

Since the policies ignored by the administrator are politically impossible and so irrelevant, the simplification of analysis achieved by concentrating on policies that differ only incrementally is not a capricious kind of simplification. In addition, it can be argued that, given the limits on knowledge within which policy-makers are confined, simplifying by limiting the focus to small variations from present policy makes the most of available knowledge. Because policies being considered are like present and past policies, the administrator can obtain information and claim some insight. Non-incremental policy proposals are therefore typically not only politically irrelevant but also unpredictable in their consequences.

The second method of simplification of analysis is the practice of ignoring important possible consequences of possible policies, as well as the values attached to the neglected consequences. If this appears to disclose a shocking shortcoming of successive limited comparisons, it can be replied that, even if the exclusions are random, policies may nevertheless be more intelligently formulated than through futile attempts to achieve a comprehensiveness beyond human capacity. Actually, however, the exclusions, seeming arbitrary or random from one point of view, need be neither.

Achieving a Degree of Comprehensiveness

Suppose that each value neglected by one policy-making agency were a major concern of at least one other agency. In that case, a

helpful division of labor would be achieved, and no agency need find its task beyond its capacities. The shortcomings of such a system would be that one agency might destroy a value either before another agency could be activated to safeguard it or in spite of another agency's efforts. But the possibility that important values may be lost is present in any form of organization, even where agencies attempt to comprehend in planning more than is humanly possible.

The virtue of such a hypothetical division of labor is that every important interest or value has its watchdog. And these watchdogs can protect the interests in their jurisdiction in two quite different ways: first, by redressing damages done by other agencies; and, second, by anticipating and heading off injury before it occurs.

In a society like that of the United States in which individuals are free to combine to pursue almost any possible common interest they might have and in which government agencies are sensitive to the pressures of these groups, the system described is approximated. Almost every interest has its watchdog. Without claiming that every interest has a sufficiently powerful watchdog, it can be argued that our system often can assure a more comprehensive regard for the values of the whole society than any attempt at intellectual comprehensiveness.

In the United States, for example, no part of government attempts a comprehensive overview of policy on income distribution. A policy nevertheless evolves, and one responding to a wide variety of interests. A process of mutual adjustment among farm groups, labor unions, municipalities and school boards, tax authorities, and government agencies with responsibilities in the fields of housing, health, highways, national parks, fire, and police accomplishes a distribution of income in which particular income problems neglected at one point in the decision processes become central at another point.

Mutual adjustment is more pervasive than the explicit forms it takes in negotiation between groups; it persists through the mutual impacts of groups upon each other even where they are not in communication. For all the imperfections and latent dangers in this ubiquitous process of mutual adjustment, it will often accomplish an adaptation of pol-

icies to a wider range of interests than could be done by one group centrally.

Note, too, how the incremental pattern of policy-making fits with the multiple pressure pattern. For when decisions are only incremental—closely related to known policies, it is easier for one group to anticipate the kind of moves another might make and easier too for it to make correction for injury already accomplished.⁷

Even partisanship and narrowness, to use pejorative terms, will sometimes be assets to rational decision-making, for they can doubly insure that what one agency neglects, another will not; they specialize personnel to distinct points of view. The claim is valid that effective rational coordination of the federal administration, if possible to achieve at all, would require an agreed set of values⁸—if “rational” is defined as the practice of the root method of decision-making. But a high degree of administrative coordination occurs as each agency adjusts its policies to the concerns of the other agencies in the process of fragmented decision-making I have just described.

For all the apparent shortcomings of the incremental approach to policy alternatives with its arbitrary exclusion coupled with fragmentation, when compared to the root method, the branch method often looks far superior. In the root method, the inevitable exclusion of factors is accidental, unsystematic, and not defensible by any argument so far developed, while in the branch method the exclusions are deliberate, systematic, and defensible. Ideally, of course, the root method does not exclude; in practice it must.

Nor does the branch method necessarily neglect long-run considerations and objectives. It is clear that important values must be omitted in considering policy, and sometimes the only way long-run objectives can be given adequate attention is through the neglect of short-run considerations. But the values omitted can be either long-run or short-run.

⁷ The link between the practice of the method of successive limited comparisons and mutual adjustment of interests in a highly fragmented decision-making process adds a new facet to pluralist theories of government and administration.

⁸ Herbert Simon, Donald W. Smithburg, and Victor A. Thompson, *Public Administration* (Alfred A. Knopf, 1950), p. 434.

Succession of Comparisons (5b)

The final distinctive element in the branch method is that the comparisons, together with the policy choice, proceed in a chronological series. Policy is not made once and for all; it is made and re-made endlessly. Policy-making is a process of successive approximation to some desired objectives in which what is desired itself continues to change under reconsideration.

Making policy is at best a very rough process. Neither social scientists, nor politicians, nor public administrators yet know enough about the social world to avoid repeated error in predicting the consequences of policy moves. A wise policy-maker consequently expects that his policies will achieve only part of what he hopes and at the same time will produce unanticipated consequences he would have preferred to avoid. If he proceeds through a *succession* of incremental changes, he avoids serious lasting mistakes in several ways.

In the first place, past sequences of policy steps have given him knowledge about the probable consequences of further similar steps. Second, he need not attempt big jumps toward his goals that would require predictions beyond his or anyone else's knowledge, because he never expects his policy to be a final resolution of a problem. His decision is only one step, one that if successful can quickly be followed by another. Third, he is in effect able to test his previous predictions as he moves on to each further step. Lastly, he often can remedy a past error fairly quickly—more quickly than if policy proceeded through more distinct steps widely spaced in time.

Compare this comparative analysis of incremental changes with the aspiration to employ theory in the root method. Man cannot think without classifying, without subsuming one experience under a more general category of experiences. The attempt to push categorization as far as possible and to find general propositions which can be applied to specific situations is what I refer to with the word “theory.” Where root analysis often leans heavily on theory in this sense, the branch method does not.

The assumption of root analysts is that theory is the most systematic and economical way to bring relevant knowledge to bear on a

specific problem. Granting the assumption, an unhappy fact is that we do not have adequate theory to apply to problems in any policy area, although theory is more adequate in some areas—monetary policy, for example—than in others. Comparative analysis, as in the branch method, is sometimes a systematic alternative to theory.

Suppose an administrator must choose among a small group of policies that differ only incrementally from each other and from present policy. He might aspire to "understand" each of the alternatives—for example, to know all the consequences of each aspect of each policy. If so, he would indeed require theory. In fact, however, he would usually decide that, *for policy-making purposes*, he need know, as explained above, only the consequences of each of those aspects of the policies in which they differed from one another. For this much more modest aspiration, he requires no theory (although it might be helpful, if available), for he can proceed to isolate probable differences by examining the differences in consequences associated with past differences in policies, a feasible program because he can take his observations from a long sequence of incremental changes.

For example, without a more comprehensive social theory about juvenile delinquency than scholars have yet produced, one cannot possibly understand the ways in which a variety of public policies—say on education, housing, recreation, employment, race relations, and policing—might encourage or discourage delinquency. And one needs such an understanding if he undertakes the comprehensive overview of the problem prescribed in the models of the root method. If, however, one merely wants to mobilize knowledge sufficient to assist in a choice among a small group of similar policies—alternative policies on juvenile court procedures, for example—he can do so by comparative analysis of the results of similar past policy moves.

Theorists and Practitioners

This difference explains—in some cases at least—why the administrator often feels that the outside expert or academic problem-solver is sometimes not helpful and why they in turn often urge more theory on him. And it explains why an administrator often feels more confident when "flying by the seat of his

pants" than when following the advice of theorists. Theorists often ask the administrator to go the long way round to the solution of his problems, in effect ask him to follow the best canons of the scientific method, when the administrator knows that the best available theory will work less well than more modest incremental comparisons. Theorists do not realize that the administrator is often in fact practicing a systematic method. It would be foolish to push this explanation too far, for sometimes practical decision-makers are pursuing neither a theoretical approach nor successive comparisons, nor any other systematic method.

It may be worth emphasizing that theory is sometimes of extremely limited helpfulness in policy-making for at least two rather different reasons. It is greedy for facts; it can be constructed only through a great collection of observations. And it is typically insufficiently precise for application to a policy process that moves through small changes. In contrast, the comparative method both economizes on the need for facts and directs the analyst's attention to just those facts that are relevant to the fine choices faced by the decision-maker.

With respect to precision of theory, economic theory serves as an example. It predicts that an economy without money or prices would in certain specified ways misallocate resources, but this finding pertains to an alternative far removed from the kind of policies on which administrators need help. On the other hand, it is not precise enough to predict the consequences of policies restricting business mergers, and this is the kind of issue on which the administrators need help. Only in relatively restricted areas does economic theory achieve sufficient precision to go far in resolving policy questions; its helpfulness in policy-making is always so limited that it requires supplementation through comparative analysis.

Successive Comparison as a System

Successive limited comparisons is, then, indeed a method or system; it is not a failure of method for which administrators ought to apologize. None the less, its imperfections, which have not been explored in this paper, are many. For example, the method is without a built-in safeguard for all relevant values, and it also may lead the decision-maker to

overlook excellent policies for no other reason than that they are not suggested by the chain of successive policy steps leading up to the present. Hence, it ought to be said that under this method, as well as under some of the most sophisticated variants of the root method—operations research, for example—policies will continue to be as foolish as they are wise.

Why then bother to describe the method in all the above detail? Because it is in fact a common method of policy formulation, and is, for complex problems, the principal reliance of administrators as well as of other policy analysts.⁹ And because it will be superior to any other decision-making method available for complex problems in many circumstances, certainly superior to a futile attempt at superhuman comprehensiveness. The reaction of the public administrator to the exposition of method doubtless will be less a discovery of a new method than a better acquaintance with an old. But by becoming more conscious of their practice of this method, administrators might practice it with more skill and know when to extend or restrict its use. (That they sometimes practice it effectively and sometimes not may explain the extremes of opinion on "muddling through," which is both praised as a highly sophisticated form of problem-solving and denounced as no method at all. For I suspect that in so far as there is a system in what is known as "muddling through," this method is it.)

One of the noteworthy incidental conse-

⁹ Elsewhere I have explored this same method of policy formulation as practiced by academic analysts of policy ("Policy Analysis," 48 *American Economic Review* 298 [June, 1958]). Although it has been here presented as a method for public administrators, it is no less necessary to analysts more removed from immediate policy questions, despite their tendencies to describe their own analytical efforts as though they were the rational-comprehensive method with an especially heavy use of theory. Similarly, this same method is inevitably resorted to in personal problem-solving, where means and ends are sometimes impossible to separate, where aspirations or objectives undergo constant development, and where drastic simplification of the complexity of the real world is urgent if problems are to be solved in the time that can be given to them. To an economist accustomed to dealing with the marginal or incremental concept in market processes, the central idea in the method is that both evaluation and empirical analysis are incremental. Accordingly I have referred to the method elsewhere as "the incremental method."

quences of clarification of the method is the light it throws on the suspicion an administrator sometimes entertains that a consultant or adviser is not speaking relevantly and responsibly when in fact by all ordinary objective evidence he is. The trouble lies in the fact that most of us approach policy problems within a framework given by our view of a chain of successive policy choices made up to the present. One's thinking about appropriate policies with respect, say, to urban traffic control is greatly influenced by one's knowledge of the incremental steps taken up to the present. An administrator enjoys an intimate knowledge of his past sequences that "outsiders" do not share, and his thinking and that of the "outsider" will consequently be different in ways that may puzzle both. Both may appear to be talking intelligently, yet each may find the other unsatisfactory. The relevance of the policy chain of succession is even more clear when an American tries to discuss, say, antitrust policy with a Swiss, for the chains of policy in the two countries are strikingly different and the two individuals consequently have organized their knowledge in quite different ways.

If this phenomenon is a barrier to communication, an understanding of it promises an enrichment of intellectual interaction in policy formulation. Once the source of difference is understood, it will sometimes be stimulating for an administrator to seek out a policy analyst whose recent experience is with a policy chain different from his own.

This raises again a question only briefly discussed above on the merits of like-mindedness among government administrators. While much of organization theory argues the virtues of common values and agreed organizational objectives, for complex problems in which the root method is inapplicable, agencies will want among their own personnel two types of diversification: administrators whose thinking is organized by reference to policy chains other than those familiar to most members of the organization and, even more commonly, administrators whose professional or personal values or interests create diversity of view (perhaps coming from different specialties, social classes, geographical areas) so that, even within a single agency, decision-making can be fragmented and parts of the agency can serve as watchdogs for other parts.

The New Reform Movement in Regulatory Administration

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THE year 1946 saw enactment of the United States Administrative Procedure Act and official approval of the Model State Administrative Procedure Act as a guide to state action. The national legislation was widely hailed by its sponsors in the legal profession as a "Magna Carta of administrative law" and a "Bill of Rights" for citizens in dealings with administrative agencies.¹ Similar terms of praise were lavished upon state laws patterned after the Model Act. A conclusion easily drawn from the congratulatory eulogies was that a crusade for reform had triumphantly succeeded and a new era of freedom and justice in administrative law would result from these remedial measures. Yet in 1958, a scant dozen years later, the President of the American Bar Association, after asserting that passage of the APA was "a great accomplishment, one of which all lawyers should be proud," went on to say: "Unfortunately, however, this great 'Bill of Rights' has been whittled away and eroded until today it stands as a worn monument on a mighty battlefield, pockmarked by the many skirmishes which have taken place since 1946."² He cited "the great and growing weaknesses in the existing legislation" in explaining why the American Bar Association "has launched another tremendous program di-

► Regulatory procedures are again under attack, primarily by practicing attorneys through the American Bar Association. The procedures worked out in the mid-1940's to guarantee rights of the citizen against the overzealous administrator no longer satisfy many attorneys and legal scholars. Some feel that the Administrative Procedure Act of 1946 was sabotaged by the courts, some that administrative authority is becoming a greater threat to personal freedom than it was then, some that the 1946 Act was just a first step which should lead toward regular court procedures. Here the specific proposals and arguments for "reform" of regulatory procedures are scrutinized.

rected at rectifying many of the pressing needs in the administration of justice by federal agencies."³

One non-lawyer commentator, Vincent M. Barnett, Jr., writing in this *Review* as early as 1948, expressed doubt that the Administrative Procedure Act "will be widely remembered ten years from now, as the 'Magna Carta of administrative law'."⁴ What has happened to bear out his prediction, to dash the hopes of the 1946 optimists, and to provide momentum to the current campaign for "reform of the administrative process"?

Administrators, Lawyers, and the Administrative Process

A survey of current developments in administrative law intended primarily for an audience of public administrators must recognize at the outset some facts of life about adminis-

¹ See, for example, statements quoted by Bernard Schwartz in "The Administrative Procedure Act in Operation," 29 *New York Univ. Law Rev.* 1173-1264 (1954), at pp. 1773-4.

² Charles S. Rhyne in "Foreword" to symposium on "Proposed Changes in Federal Administrative Practice and Procedure," 19 *Ohio Law Jour.* 377-379 (1958), at p. 377.

³ *Ibid.*, p. 378.

⁴ V. M. Barnett, Jr., "Judicialization of the Administrative Process," 8 *Pub. Adm. Rev.* 126-133 (1948), at p. 133. See also Reginald Parker, "The Administrative Procedure Act: A Study in Over-estimation," 60 *Yale Law Jour.* 581-599 (1951).

trators, lawyers, and the administrative process. Both in theory and in actual practice, administrative law is of common concern to administrative officials, both lawyer and non-lawyer, and to lawyers engaged in private practice who represent private parties before government regulatory agencies. Positive interest in coping with the problems of administrative law has been largely confined, however, to members of the legal profession. The debates which have raged over the administrative process, the struggles that have taken place, the settlements which have been worked out, and the reform proposals which are being advocated today are nearly all the handiwork of lawyers. Non-lawyer administrators have usually been passive bystanders, only occasionally indulging in outbursts of righteous indignation at what they felt were unwarranted intrusions by lawyers into the operations of regulatory agencies. The battlements on both sides have been manned mostly by lawyers, with a rough alignment pitting government lawyers and many professors of administrative law on one side, and practicing lawyers, speaking through the American Bar Association, on the other. This is an oversimplified picture, of course, but it is accurate in placing the non-lawyer administrator on the outside looking in, and not looking very attentively at that.

The administrative and the legal views of the subject under consideration naturally diverge. The perspectives are different and so are the diagnoses and prescriptions. The very term "administrative process" is used by lawyers to refer to only a segment of what public administration theorists and practitioners would regard as the "administrative process." The latter would prefer to use a more restrictive phrase like "regulatory administration" or "regulatory process" to describe what lawyers mean by the "administrative process." Private lawyers, in other words, see regulatory action as *the* act of administration; public administrators see it as only one part of the governmental task.

Definitions reflect the different concepts of the process of regulation, whatever the name given it. To the lawyer it consists of "rule-making when not done by the legislature and adjudication when not done by the courts."⁵

⁵ Louis L. Jaffe, *Administrative Law: Cases and Materials* (Prentice-Hall, Inc., 1953), p. 2.

Public administration writers refer to the same activity as "the process of getting people to follow a line of conduct that is in accord with public policy"⁶ or the "governmental circumscribing of permissible conduct of individuals and groups."⁷

The professional activities of lawyers in private practice and of administrators in public agencies also lead to significant variations in emphasis. "Lawyers come to think of administrative law and the administrative process as significant and worthy of study only in those areas where private interests think it worth their while to demand protection. As a consequence lawyers seeking for their clients elaborate procedural protection modeled on the judicial process may, in an excess of generalizing zeal, induce legislatures, administrative agencies and courts to extend such procedures into areas where they are alien and inappropriate."⁸ Administrators are more impressed with the desirability of prompt effectuation of public policy against recalcitrant citizens who do not want to conform. They are therefore prone to interpret procedural objections as really disguised attempts by selfish private interests to frustrate the implementation of public policy which has been properly adopted and should be carried out despite the protests of those being regulated. As one lawyer has put it, "The administrator cannot decide disputes with the virgin mind of the judge. The very purpose of administration is to get things done. An administrative agency is created to accomplish certain ends, and it would be derelict in its duty if it were not predisposed in favor of those objectives for which it was created."⁹

The "Settlement" of the 1940's

After over a decade of controversy, interrupted or at least subdued by World War II, it appeared in the late 1940's that a settlement had been reached which would at least be

⁶ George A. Graham and Henry Reining, Jr. (eds.), *Regulatory Administration* (John Wiley and Sons, Inc., 1943), p. 2.

⁷ James W. Fesler, "Independent Regulatory Establishments," in Fritz Morstein Marx (ed.), *Elements of Public Administration* (Prentice-Hall, Inc., 1946), p. 212.

⁸ Jaffe, *op. cit.*, p. 3.

⁹ E. A. Buttler, "Long Quest: The Search for Administrative Justice," 44 *Amer. Bar Assoc. Jour.* 450-453, 486-489 (1958), at p. 489.

more than a temporary truce. The symbol of this compromise was the U.S. Administrative Procedure Act of 1946 and its counterpart at the state level, the Model State Administrative Procedure Act. Mr. Justice Jackson, speaking in 1950 of the APA, said that it "represents a long period of study and strife; it settles long-continued and hard-fought contentions, and enacts a formula upon which opposing social and political forces have come to rest."¹⁰ These procedural measures have been interpreted as a turning away from dependence on the courts for protection against alleged administrative encroachments because the courts had staked out too narrow an area of review. Legislatively-established procedures for the regulatory process were sought instead, though at the same time the scope of judicial review also was outlined somewhat more broadly than the law had done before.¹¹

The provisions of both the APA and the Model Act can be briefly summarized under the headings (1) public information, (2) rule-making procedure, (3) procedure in administrative adjudication, and (4) availability and scope of judicial review.¹²

The provisions designed to inform the public concerning relevant rules, orders, procedures, and interpretations have been generally noncontroversial and have been widely recognized as steps in the right direction. The *Federal Register* provides the outlet for the federal government; the Model Act attempts no such formalized method, and individual states with scattered exceptions have been content to provide a central filing point.

Both the APA and the Model Act distinguish between administrative rule-making and administrative adjudication ("contested cases" in the language of the Model Act). The legislation merely requires public notice of intention to issue rules, affords interested persons the opportunity to submit written data, views,

or arguments, and requires the agency to consider relevant matter submitted. Oral presentation at a hearing is optional with the rule-making agency.¹³

With respect to administrative adjudication, the key provisions in the APA are those which establish a semi-independent corps of hearing examiners who preside in cases not heard by agency heads and who issue initial or recommended decisions. The Model Act, however, does not deal comprehensively with the powers and qualifications of hearing officers, and only California among the states has undertaken to maintain a central staff of qualified hearing officers available to the various state agencies. National and state laws are similar in their concern with such matters as specifying issues and giving adequate notice, admissibility of evidence, opportunities for cross-examination, and the process by which decisions are reached; the federal act spells out the details of adjudicatory procedure more fully than the corresponding state acts.

Another common feature of the APA and the Model Act is a broadening of the base for judicial review of administrative actions. Under the Model Act, the reviewing court may reverse or modify an administrative decision if it is "unsupported by competent, material, and substantial evidence in view of the entire record as submitted." The intent here, and in corresponding language in the APA, was to adopt the generally-accepted substantial evidence rule, but to exclude the version of it which permitted the reviewing court to examine only that side of the evidence which supported the administrative decision.

The movement for reform in administrative procedure represented by these measures achieved recognition by the unanimous passage of the APA in both houses of Congress and by the enactment in numerous states of laws analogous to the APA and the Model Act.¹⁴ At least eight states now have comprehensive and uniform administrative proce-

¹⁰ *Wong Yang Sung v. McGrath*, 339 U.S. 33, at p. 40.

¹¹ See Barnett, *op. cit.*, pp. 126 and 131, and Marver H. Bernstein, "The Politics of Adjudication," 16 *Jour. of Politics* 299-323 (1954), at p. 301.

¹² For fuller treatment, in addition to sources already cited, refer to George Warren, *The Federal Administrative Procedure Act and the Administrative Agencies* (New York Univ. School of Law, 1947); E. Blythe Stason, "The Model State Administrative Procedure Act," 33 *Iowa Law Rev.* 196-209 (1948); Schwartz, "The Model State Administrative Procedure Act," 33 *Wash. Law Rev.* 1-16 (1958).

¹³ The APA does make provision, in special circumstances, for a more formal rule-making procedure patterned after adjudicatory procedure.

¹⁴ Ferrel Heady, *Administrative Procedure Legislation in the States* (Institute of Public Administration, Univ. of Michigan, 1952) and "State Administrative Procedure Laws: An Appraisal," 12 *Pub. Adm. Rev.* 10-20 (1952); W. R. Harris, "Administrative Practice and Procedure: Comparative State Legislation," 6 *Okla. Law Rev.* 29-64 (1953).

dures laws patterned closely after the Model Act, the latest being Massachusetts in 1955.¹⁵ About half the states have general statutes in force dealing with important segments of regulatory procedure, and several others have bills under active consideration.

The New Drive for "Reform"

Supporters of the current "tremendous program" to which ABA President Rhyne referred may be divided into three groups on the basis of their attitudes toward the earlier settlement represented by the 1946 APA and its state counterparts. Ralph F. Fuchs has called attention to "a ten-year period of growing disillusionment with government,"¹⁶ and an accompanying unfriendly attitude toward the operations of the executive branch. He points out that the disillusionment extends to many ex-New Dealers and liberals who see, in the widening scope of administrative authority, a threat to individual personal freedom. Particularly outside the area of economic regulation—in such areas as immigration, foreign travel, freedom of association, selective service, and personnel security—the regulatory process is in the throes of fundamental examination, according to Nathanson; the APA, "the major product of the administrative law controversies of the 1930's," offers few positive guideposts in reconciling the conflict between administrative authority and personal freedom.¹⁷

Another line of thought pointing toward further adjustments may be described as the "building block" or "gradualist" philosophy. Bernard Schwartz is a prominent spokesman for this group, which sees the 1946 Act as "only a first step in the direction of legislative reform in this field." According to this view, those who regard the APA as the final answer to administrative law problems ignore "the practical realities of the situation," because "the APA in operation hardly appears

to justify the tremendous effort on the part of those concerned with administrative law which led to its enactment."¹⁸ This result is not blamed upon any failure in judicial interpretation, as Schwartz concedes that "the courts have given every indication that such laws will be interpreted in such a way as to give full effect to their remedial intent," and the decisions under the APA "appear to indicate a judicial concurrence in the widely expressed desire to put an end to the growth of administrative authority and to re-establish judicial review as a true balance of our governmental system."¹⁹ In this context, the principal task is simply one of dealing with problems which experience has shown to be still unresolved.

Finally, there is the "we wuz robbed" attitude, alleging judicial sabotage. Rhyne, for instance, subscribes to this theory, alleging that the APA has been eroded by "court interpretation and decisions, many of which it appears do not conform to the true intent of the Congress. . . . The net effect of this misconstruction of congressional intent is that the basic rights and guarantees of fair treatment for everyone who comes before, or into contact, or contest with federal administrative agencies have been virtually eliminated. Much of the protection for which so many fought so hard to have written into the 1946 act, has been completely negated by court interpretations."²⁰ The blame for inadequacy falls upon the judges who have refused to carry out the intent of Congress, not upon the 1946 legislation; the suggested remedy is that the legislature give it another try and hope for the best.

Despite these variations in attitude toward past legislation, the basic objective of the current campaign is well defined and widely acknowledged. In a word, the goal is further

¹⁵ W. J. Curran and A. M. Sachs, "Massachusetts Administrative Procedure Act," 37 *Boston Univ. Law Rev.* 70-101 (1957). The other states are N. D. (1941), Wis. (1943), Ohio (1943), Va. (1944), Mo. (1945), Penn. (1945, 1947) and Mich. (1952).

¹⁶ "The Proposed New Code of Administrative Procedure," 19 *Ohio State Law Jour.* 423-431 (1958), at p. 423.

¹⁷ Nathaniel L. Nathanson, "Law and the Future: Administrative Law," 51 *Northwestern Univ. Law Rev.* 174-186 (1956), at pp. 174-175.

¹⁸ "The Administrative Procedure Act in Operation," *op. cit.*, at pp. 1263-4.

¹⁹ "A Decade of Administrative Law: 1942-1951," 51 *Mich. Law Rev.* 775-862 (1953), at pp. 861-2.

²⁰ "Foreword," *op. cit.*, p. 378. For an earlier amplification, see Rhyne, "The Administrative Procedure Act, Five Year Review Finds Protections Eroded," 37 *Amer. Bar Assoc. Jour.* 641-644, 703-706 (1951); also Joseph Berman, "Recent Developments in the Federal Administrative Process," 28 *Temple Law Quar.* 212-228 (1954), charging that *Ramspeck v. Federal Trial Examiners Conference*, 345 U.S. 128 (1953), and *Heikkula v. Barber*, 345 U.S. 946 (1953), are both cases that "contribute momentarily to the erosion" of the APA.

"judicialization" of the administrative process. The Task Force Report on Legal Services and Procedure of the Second Hoover Commission²¹ stated the guiding purpose plainly: "The more closely that administrative procedures can be made to conform to judicial procedures, the greater the probability that justice will be attained in the administrative process. . . . Formalization of administrative procedures along judicial lines is consistent with efficiency and simplification of the administrative process."²² More recently a supporter of the Hoover Commission and American Bar Association proposals for revision of the APA has presented the argument in these words: "Administrative procedures should be made uniform and formalized, where practicable, in conformity with the traditional standards and safeguards developed by the courts, to the end that the administrative process will follow well-defined channels of authority and procedure, known to all parties, without the delays and manifest unfairness of *ex parte* consultation, political pressure and improper influence. Practicable uniformity along judicial lines can only strengthen that process by affording private citizens and non-federal governmental bodies greater protection for their rights and by restoring complete public confidence in all phases of administrative activity."²³

The opening assault, and it can be described as a blitzkrieg effort at total victory, was that of the appropriately named Task Force on Legal Services and Procedure of the Second Hoover Commission. In the Task Force recommendations, according to one

qualified commentator ". . . we reached the high point of proposals for the restriction of regulatory processes."²⁴ Even the Hoover Commission in its own report to Congress²⁵ did not give full support to the Task Force recommendations, and no new legislative action resulted. Since 1955, the American Bar Association has taken over active leadership of the movement. A regrouping of forces has been taking place, culminating in the legislative program for action which the ABA and some of its subordinate units are now vigorously urging upon the Congress.

Meanwhile, a series of minor skirmishes has occurred, giving the contending forces an opportunity to test their offensive and defensive capabilities. An early example was the President's Conference on Administrative Procedure—four plenary sessions during 1953 and 1954—to provide an exchange of experience and views among federal administrators, practicing lawyers, and members of the judiciary, and resulting in a 1955 report containing a series of recommendations.²⁶ A tangible outcome of this report was the creation by the Attorney General of an Office of Administrative Procedure in the Department of Justice in December, 1956. Subsequently, hearings before congressional committees have provided a forum for advocates of pending reform measures.²⁷

The American Bar Association legislative program, which is the revised agenda for the reform movement, is grounded in a series of resolutions adopted by the ABA House of Delegates in 1956, based on recommendations from a Special Committee on Legal Services

²¹ U.S. Government Printing Office, Washington, D. C., 1955. Pp. 442.

²² *Ibid.*, p. 138. Italicized in text. A member of the Task Force later elaborated by writing that "most practicing lawyers will agree that administrative procedures should be made uniform and formalized, so far as practicable, in conformity with the traditional standards and safeguards that have been developed by the courts, in order that the administrative process will follow well-defined channels of authority and procedure, known to all parties, without the delays, and unfairness of *ex parte* consultation, political pressure, or improper influence. But most executive agencies oppose any practicable formulation of rules of procedure along well-developed judicial standards." Herbert W. Clark, "Federal Developments in Administrative Law," 44 *Calif. Law Rev.* 321-339 (1956), at p. 339.

²³ Buttle, *op. cit.*, p. 451.

²⁴ Ralph F. Fuchs, "The American Bar Association and the Hoover Task Force Administrative Code Proposals," 23 *I.C.C. Prac. Jour.* 870-879 (1956), at p. 871.

²⁵ Commission on Organization of the Executive Branch of the Government, *Legal Services and Procedure*. U.S. Government Printing Office, Washington, D. C., 1955.

²⁶ *Report of the Conference on Administrative Procedure* (Washington, D. C., 1955).

²⁷ *Proposed Establishment of Committee on Administrative Procedure and Practice*, Hearings before a Special Subcommittee of the Committee on Rules, House of Representatives, 84th Cong., 2nd Sess., May 22, 23, and 24, 1956. GPO, Washington, 1956. *Study of Administrative Organization, Procedure, and Practice*, Hearings before a Subcommittee of the Committee on Government Operations, House of Representatives, 85th Cong., 2nd Sess., Feb. 25 and 26, 1958. GPO, Washington, 1958.

and Procedure which had been created a year earlier. The ABA has since set up a series of ad hoc committees with responsibility for carrying out various phases of what its spokesmen term "the most significant legislative program which the ABA has ever sponsored in the field of administrative law."²⁸ The central recommendation is a new Code of Federal Administrative Procedure to supersede the APA, dealing with public information on the administrative process, administrative rule-making procedure, procedure in administrative adjudication, and judicial review of agency proceedings. Second, a Federal Administrative Reorganization Act would establish an independent Office of Administrative Practice with a Division of Hearing Commissioners to administer a revised system of appointment and conduct for hearing commissioners, and a Division of Legal Services to install and administer a legal career service for civilian government attorneys. This legislation also would specify qualifications and standards of conduct for both lawyers and non-lawyers representing others before administrative agencies. The third major piece of legislation would transfer adjudicatory functions in selected areas from administrative agencies to newly established special courts within the judicial branch.²⁹

The complexities and technicalities of these bills are such that no intensive detailed analysis can be attempted here. We will, however, select for description and analysis those features of the ABA program for national legislation, and related proposals at the state level, which would bring about the most significant changes in the conduct of the administrative process.

Administrative Rule-Making

The ABA's proposed code does not make substantial changes in the procedural requirements for rule-making. Minor suggested adjustments in the provisions for public infor-

mation seem to be non-controversial. There is some additional formalization in procedure where a hearing is required before promulgation of a rule, but the change is not as sweeping as that advocated by the Hoover Commission. The definition of "rule-making" contained in the APA would be changed to include only agency statements of general application and future effect, thus transferring to the category of adjudication (requiring more formal procedures) statements of particular applicability and future effect, such as rate orders, which had been considered rule-making by the APA.

One important innovation concerning rule-making which is not found in the proposed code but which has had some support for adoption in the national government and has been experimented with in a few states, is legislative review of administrative rules at time of issuance. Bernard Schwartz has repeatedly advocated adoption by the United States of certain essentials of English techniques of parliamentary control, namely, that rules be laid before the legislature for a stipulated period subject to annulment and that a legislative committee carry on continuous scrutiny of administrative rule-making activity.³⁰

Actual experience with such a clearance and review requirement in this country is confined to a few states. The Michigan experimentation with legislative review since 1944 has been most thoroughly studied and reported on.³¹ The complicated and bizarre details of this case study in legislative control cannot be reviewed here, but they seem to support Professor Schubert's conclusion that "legislative review of administrative rule-making is almost certain, in the United States, to

²⁸ For statements by Schwartz, see "Legislative Control of Administrative Rules and Regulations: The American Experience," 30 *New York Univ. Law Rev.* 1031-1045 (1955); "The Administrative Process and Congressional Control," 16 *Federal Bar Jour.* 519-538 (1956); and "Legislative Oversight: Control of Administrative Agencies," 43 *Amer. Bar Assoc. Jour.* 19-22 (1957).

³¹ See Glendon A. Schubert, "Legislative Adjudication of Administrative Legislation," 7 *Jour. of Public Law* 135-161 (1958), William S. Andrews, "Relationships Between Administrators and the California Legislature," 44 *Calif. Law Rev.* 293-304 (1956), and Heady, *Administrative Procedure Legislation in the States*, op. cit., pp. 54-62. States with such a requirement are Conn., Kan., Mich., Neb., Va., and Wis.

²⁹ V. B. Deale, "Major Reform Proposal: The Administrative Practice Reorganization Act," 44 *Amer. Bar Assoc. Jour.* 133-136, 185-187 (1958), at p. 133.

³⁰ A fourth phase of the ABA program deals more narrowly with problems of professional relationships affecting legal services within the Department of Defense and the armed services, and is not of concern here. For summaries of the ABA proposals, see the articles by Rhyne and Deale already cited, plus other reports in the *Amer. Bar Assoc. Jour.*

be political review. . . . If legislative review were to function as a device whereby legislative majorities could check the power of bureaucratic minorities, it might prove to be a significant avenue for assuring administrative responsibility. If, on the other hand, legislative review is to provide another opportunity for irresponsible minorities to checkmate the public interest, traditional reliance on the judiciary would appear to be better advised. The Michigan experiment deserves serious consideration by either theorists or politicians who might think of engrafting the English model within the institutional framework of American traditions and practices of government."³²

Administrative Adjudication

The pending proposals contemplate major revisions in the conduct of administrative adjudication, although the current ABA program is less drastic than that recommended earlier by the Hoover Commission Task Force. Some of the changes aim at judicialization of the procedure. An example is a requirement that pleadings conform as nearly as may be to the requirements of pleading in the United States district courts. Another provision is that in adjudication, except for the kind referred to above which is defined now as rule-making under the APA, "the rules of evidence and requirements of proof shall conform, to the extent practicable, with those in civil non-jury cases in the United States district courts."³³ Professor Davis has made a devastating attack on the Hoover Commission proposals concerning evidence. Terming the heart of the recommendation "a cross reference to meaninglessness," he concluded that, despite the language used, the Commission probably actually wanted agencies to conform to jury-trial rules of admissibility as closely as possible. If so, his view is that the recommendation is "contrary to the trend of judicial

thinking, contrary to the views of qualified and informed conservative lawyers, contrary to the uniform views of the country's leading evidence scholars, and contrary to the uniform views embodied in state and federal legislation."³⁴ The new language, however uncertain its exact intent or potential effect, fits in with the general goal of judicialization.

The principal objective in the adjudicatory process under the new reform movement is that of "increasing the stature of the hearing officers, making them in effect trial judges and restricting the scope of agency review to an appellate proceeding."³⁵ The proposed code does not go quite as far in this direction as did the Hoover Commission Task Force recommendations, but it would materially reshape the role of the hearing officer. He would be given enlarged powers in the conduct of formal administrative hearings. An initial decision by the hearing officer would be required and would become the agency decision unless changed by the agency. The proposed code strives to strengthen the so-called "separation of functions" feature of the APA by isolating the hearing officer from all consultation at the stage of formulation of an initial decision. "The hearing commissioner who has sat in the hearing and who must decide the case in the first instance is in effect required to seal himself in a chamber with the record and reach a decision. Of course, he can step out and consult a dictionary or some other work in the library, but when it comes to people, he is not to talk to anybody about the case. And it is clear that 'anybody' includes in this Code the members of agency staffs."³⁶ This is stricter control than judges are subjected to. Facilities available to the judge are denied to the hearing commissioner, and "he is denied them in an agency framework created for the very purpose of making the expertness of a qualified staff available in the solution of the agency's problems," raising grave doubts as to "whether we must tie down supposedly expert agencies to the degree recommended in

³² Schubert, *op. cit.*, p. 161.

³³ Proposed code, Sec. 1006(d). Sec. 7(c) of the present APA states: "Any oral or documentary evidence may be received, but every agency shall as a matter of policy provide for the exclusion of irrelevant, immaterial, or unduly repetitious evidence and no sanction shall be imposed or rule or order be issued except upon consideration of the whole record or such portions thereof as may be cited by any party and as supported by and in accordance with the reliable, probative, and substantial evidence."

³⁴ Kenneth C. Davis, "Evidence," 30 *New York Univ. Law Rev.* 1309-1341 (1955), at pp. 1315 and 1340.

³⁵ Frank E. Cooper, "Administrative Law: The Process of Decision," 44 *Amer. Bar Assoc. Jour.* 233-6, 277 (1958), at p. 277.

³⁶ Fuchs, "The Proposed New Code of Administrative Procedure," 19 *Ohio State Law Jour.* 423-431 (1958), at p. 428.

order to protect the interests with which the agencies deal."³⁷

Another issue turns on the question of agency authority to reverse the findings of fact made by the hearing officer. The basic intention of the Hoover Commission Task Force was that "the scope of agency review of the initial decisions of hearing officers conform with the scope of judicial review of the final decisions of the agency, except as to questions of policy which have been committed by statute to the agency for its determination."³⁸ The original proposal of the Task Force would have required the agency to accept the conclusions of the hearing commissioner on questions of fact unless clearly erroneous on the whole record. The current proposal is that "the agency may freely overturn the hearing commissioner's conclusions of fact other than evidentiary fact, but his conclusions of evidentiary fact must stand unless they are contrary to the weight of the evidence." The practical effect of the proposed rule is uncertain. As Fuchs has observed, "'evidentiary facts' is a tricky phrase." The ABA has explained it to mean facts resting upon testimony at the hearing but excluding inferences from these facts which could be drawn by the agency as it sees fit. At any rate, the limitation is intended to reduce the authority of agency heads with respect to matters of fact. If enacted, it would probably result in increased litigation and an additional hazard of court reversal of agency decisions.³⁹

Even more comprehensive restrictions on the power of regulatory agencies to review and alter the decisions of officers who conduct initial hearings have been advocated in some states. A few years ago in Michigan the Citizens' Advisory Committee on Reorganization of State Government proposed to deny completely to the regulatory agency any power to review or alter the decision of a hearing officer, either on questions of fact or conclusions of law.⁴⁰ My view on such plans for procedural change continues to be that they should be

rejected, "at least until more evidence is at hand to show that the internal separation-of-function pattern of the current administrative procedure laws actually leads to abuses and that the proposal for converting hearing officers into full-fledged minor judges would supply a remedy."⁴¹ Fortunately, the present ABA recommendation suggests only a small change, although there is reason to anticipate that other steps might follow if and when this step were actually taken.

The ABA recommendations also depart from the Task Force proposals as to the source of control and supervision over federal hearing commissioners. The Task Force favored the appointment by the President with Senate consent of a Chief Hearing Commissioner for a twelve year term, this office to be attached to the Administrative Court of the United States which was to be established.⁴² The ABA would give control over hearing commissioners to an independent Office of Administrative Procedure and Legal Services within the executive branch, as originally advocated nearly twenty years ago by the Attorney General's Committee on Administrative Procedure. The ABA thus has now rejected the Hoover Commission proposal for subjecting hearing commissioners to direct judicial supervision. Both groups agreed that the Civil Service Commission should be relieved of its present responsibilities for hearing examiners as defined by the Administrative Procedure Act, and that the status of incumbent hearing examiners should be protected.

The Regulatory Process and the Courts

Suggestions for altering relationships between regulatory agencies and the courts take two forms: (1) enlargement of the opportunity for judicial review and intervention in administrative action on appeal⁴³ and (2) transfer to special or regular courts in the judicial branch of some functions now performed by administrative agencies.

The present judicial review formula is that the courts may reverse an administrative determination of fact if it is not supported by substantial evidence in view of the entire

³⁷ *Ibid.*, pp. 428-429.

³⁸ *Task Force Report on Legal Services and Procedure*, *op. cit.*, p. 206.

³⁹ Fuchs, "The American Bar Association and the Hoover Task Force Administrative Code Proposals," *op. cit.*, pp. 874-5, and "The Proposed New Code of Administrative Procedure," *op. cit.*, p. 429.

⁴⁰ Heady, "State Administrative Procedure Laws: An Appraisal," *op. cit.*, p. 16.

⁴¹ *Ibid.*

⁴² *Task Force Report*, *op. cit.*, p. 264.

⁴³ For a summary and analysis of these features, see Fuchs, *op. cit.*, pp. 429-431.

record. The new language would substitute the formula that determinations which are clearly erroneous on the whole record may be reversed, which is the formula now applicable to appellate review of non-jury district court determinations of fact. Statutory guides for judicial review of administrative actions take on definite meaning only as they are applied by the courts, so it is difficult to predict what this change in language would mean in practice. Nonetheless, there is some basis for expecting that the "clearly erroneous" formula will give more opportunity for the courts to substitute their judgment for the agency's than does the "substantial evidence" rule, and it is clear that this is the intention of those who drafted the provision.⁴⁴

Several new features would facilitate judicial intervention in administrative proceedings prior to the time that final decisions have been reached. Courts would be authorized to stop investigations where the mere act of public investigation might injure an individual or business. Also a court, when invoked by a private party, could require an agency to proceed expeditiously to decide a matter before it. Injunction suits could be filed and injunctions issued at any time against proceedings "clearly beyond the constitutional or statutory jurisdiction or authority of the agency." The present narrower rule is that an agency may be enjoined from exceeding its jurisdiction only by someone threatened with irreparable injury, and a long-standing general doctrine has been that a private party must exhaust the available administrative remedies—in other words go the whole path of the administrative process—before seeking help from a court.

Transfer of judicial functions of administrative agencies to the courts has been advocated from time to time under recurrent proposals to establish an administrative court or series of courts. Widely supported in the 1930's, the administrative court idea suffered a decline during the 1940's until revived in the report of the Hoover Commission Task Force on Legal Services and Procedures.⁴⁵ The Task Force recommended two steps to separate judicial functions from administra-

tive agencies. The first would transfer to courts of general jurisdiction functions "of the kind ordinarily performed by courts and which require the assistance of courts for effective enforcement," such as "the imposition of money penalties, the award of reparation and damages, and the issuance of injunctive orders."⁴⁶ The second recommendation would establish an Administrative Court of the United States with sections having jurisdiction in the fields of trade regulation and taxation.⁴⁷ The Hoover Commission itself made similar but not identical recommendations to Congress, proposing that the Administrative Court have an additional section to exercise adjudicatory jurisdiction now vested in the National Labor Relations Board. In 1956, the House of Delegates of the American Bar Association supported the creation of an Administrative Court, and in 1957 Senator Alexander Smith introduced a bill to create such a court,⁴⁸ with a Tax Section, a Labor Section, and a Trade Section.

This proposal was viewed by the Task Force as a second stage of jurisdictional evolution in the regulatory process. In a new area of regulation, administrative adjudication may be necessary and separation of functions within the agency may provide adequate protection of the citizen. However, after experience regulating an activity, a court of special jurisdiction should be established. This is the second stage advocated. The third stage arrives when "the new body of law developed by the court of special jurisdiction has become so well integrated in the judicial system that the need for the court of specialized jurisdiction disappears, and its functions and its judges may be brought within the traditional judicial organization."⁴⁹ As a critic of the proposal has observed, there is "a certain charm of apparent logic to the theory of administrative law evolving into law of general application to be administered by courts,"⁵⁰ but it does not fit very well with developments up to now, and if the theory were to be realized, it would mean not modification but

⁴⁴ *Task Force Report, op. cit.*, p. 242.

⁴⁵ *Ibid.*, p. 246.

⁴⁶ S. 2292, 85th Cong., 1st Sess. (1957).

⁴⁷ *Task Force Report, op. cit.*, pp. 241-242. For comments on this theory, see Minor, *op. cit.*, p. 394, and Earl W. Kintner, "The Administrative Process Comes of Age," 16 *Federal Bar Jour.* 539-555 (1956), at p. 553.

⁵⁰ Minor, *op. cit.*, p. 399.

⁴⁸ *Ibid.*, p. 429.

⁴⁹ For a recent discussion of these developments, see Robert W. Minor, "The Administrative Court: Variations on a Theme," 19 *Ohio State Law Jour.* 380-399 (1958).

abandonment of "the administrative process" as it now functions. To those familiar with ancient and continuing struggles to suppress unfair and deceptive trade or labor practices, transfer of such an activity from regulatory agencies to the courts must seem a call to arms to defend ground which they had thought already won. Minor suggests with good reason that "wisdom here has been clouded with ancient misgivings, and the distrust of many members of the bar of the administrative process is no less now than it was when, in 1887, the then president of the American Bar Association condemned the embryo Interstate Commerce Commission as unconstitutional."⁵¹

Prospects and Portents

During the 1930's the rapid growth of regulatory administration led to charges of administrative usurpation and demands for reform. After vigorous controversy, general legislation was enacted at both the national and state levels in the middle 1940's which attempted to set minimum procedural standards for the conduct of regulatory administration. Now, only a few short-years later, these reforms are themselves under attack from the organized legal profession which originally sponsored them, and a concerted campaign has been launched, the goal being further and more drastic controls over the administrative process. This call for reappraisal and closer control has been echoed abroad, especially in Great Britain.⁵² The outcome of the reopened

⁵¹ *Ibid.*

⁵² The Committee on Administrative Tribunals and Enquiries (Franks Committee) was set up in 1955 and reported in 1957. In point of time, scope of assignment, method of approach, and substance of recommendations, the Franks Committee followed closely the work of the U.S. Hoover Commission. Its major recommendations were accepted by the Government and those requiring legislation were included in the Tribunals and Enquiries Bill published as a Lord's Bill in March, 1958. For further information on these parallel developments in Great Britain, see Geoffrey Marshall, "The Franks Report on Administrative Tribunals and Enquiries," 35 *Pub. Adm.* 347-358 (1957); and "Tribunals and Enquiries: Developments Since the Franks Report," 36 *Pub. Adm.* 261-270 (1958); J. A. G. Griffith, "Committee on Administrative Tribunals and Enquiries," 21 *Modern Law Rev.* 73-75 (1958); and Franz Becker, "The Donoughmore Report and the Franks Report," 24 *Inter. Rev. of Adm. Sciences* 453-459 (1958). "Though the Franks Committee, in its Report, considered that it was not its task to make a

drive for reform is still uncertain, but the prospects are considerable that many or at least some pending proposals will be adopted. Would their impact bode good or ill for the future of the administrative process, considered as a crucial phase of governmental administration?

The issue is posed in somewhat more restricted terms than it was a decade ago when the APA and the Model Act were the topics of controversy. At that time, one side claimed miraculous cures for the alleged evils of administrative absolutism, and the other side issued dire warnings of threatened sabotage of the regulatory process itself. A procedural code was viewed by some as the touchstone of administrative propriety and by others as a straitjacket inhibiting desirable action.

Now, both the claims and the apprehensions are more subdued. The virtues of a general code of procedure are now widely accepted, even by those who earlier preferred an agency-by-agency approach. The issue is not whether to abandon this type of legislation but whether the existing statutes now need revision, and if so, by how much and in what ways. This reorientation of the controversy does not mean that the points now at issue are insignificant or that more fundamental disagreements have entirely disappeared, but it does give focus to the current debate.

The case for adoption of proposals such as those in the ABA program can be stated simply and briefly. The basic assumption is that the more regulatory agencies behave like courts the better. Ultimately regulatory decision-making that is addressed to individual citizens and corporations and uses the hearing technique should be transferred from these agencies to courts. Meanwhile, the best course

choice between the 'judicial' and the 'administrative' views, but only to seek a balance between fair play for the individual and efficiency of administration, the views of the 'judicial' school of thought are reflected in most of the recommendations." Becker, *op. cit.*, at p. 458. Reactions to the Franks Report likewise have resembled those in the United States to the Hoover Commission and ABA recommendations. "Some have protested that the proposals would slow down the operation of the administrative process. Others, equally emphatic, have regretted that opportunities for additional controls over the activities of government departments were not seized whilst the reforming iron was hot." Marshall, "Tribunals and Enquiries: Developments Since the Franks Report," *op. cit.*, at p. 261.

of action is to bring regulatory procedures closer to judicial methods by procedural code legislation and to enlarge the scope of direct controls over the regulatory process by both legislatures and courts. The current set of proposals is interim in character. If these are accepted, another group of suggestions will take their place, just as those now under consideration have replaced the APA and the Model Act of the 1940's. The pending and prospective measures for reform truly "attest the remarkable vitality of the lawyer's concern with the administrative process."⁵³ It is much less obvious that they represent desirable lines of development. Viewed from the perspective of governmental administration in operation, the case for the "new reform movement" is far from convincing.

A remarkable feature of the official studies of the Hoover Commission and the ABA, and their supporting literature, is the dearth of data, gathered from actual investigation of the administrative process in action, to support the recommendations made. Recent reports have contained nothing comparable to the admirable background studies made in the early 1940's by the Attorney General's Committee on Administrative Procedure. Referring to the "cramped and cryptic" means of expression used by the Hoover Commission, Davis has remarked that the form of language "creates the feeling, which is probably unintended, that the Commission assumes its own wisdom to be so overpowering that reasons need not be given, that experience need not be canvassed, and that sources need not be revealed."⁵⁴ Or, as put by another critic, "in the main the recommendations and proposed statutory provisions are logical applications of governing principles, rather than proposals based on empirical study, and must stand or fall on the asserted validity of those applications."⁵⁵ These basic assumptions of principle are more acceptable generally to lawyers than to non-lawyers. In the absence of more convincing evidence than has been produced so far, "... there is no reason to believe that the judicial adaptations now pro-

posed for certain administrative processes are any improvement or that they would even accomplish the purposes for which they are suggested. We should not abandon or nullify administrative processes which have been or are effective until it is demonstrated that the changes proposed are actually improvements and are suitable for the conditions to which they would be applied."⁵⁶

The inadequate evidence that is available can be used to make at least as persuasive an argument that we may already have gone too far toward judicialization. Nathanson believes that "the virtues of full hearing in most types of economic regulation have been so enthusiastically embraced that the administrative process in this area instead of operating with the secrecy and dispatch supposedly characteristic of Star Chamber proceedings, now moves with the mammoth gradualness of cinemascope in slow motion."⁵⁷ The point of diminishing returns in imposing formalized and uniform procedural requirements may already have been reached. Pending proposals, instead of helping, might in fact hinder the preservation in administrative law of "the basic concepts of fair play, equity, and proper expedition of decision"⁵⁸ which are jointly shared values in both the administrative process and the judicial process. The burden of proof should be shouldered by the advocates of reform which stresses further judicialization, particularly in view of the fact that the organized legal profession is taking the lead in the reform effort. Lawyers as a group "have a vocational stake in the formalization and elaboration of procedure before regulatory agencies, because such procedure places a premium upon the services which lawyers are trained and equipped to provide."⁵⁹

⁵³ Willard W. Gatchell, "The Impact of the Administrative Process on the Judicial Branch of the Government," 16 *Federal Bar Jour.* 482-500 (1956), at p. 482. Robert W. Ginnane suggests that "... study and some cautious experimentation would be valuable in determining whether we are in danger of carrying the concept of 'decision on the record' to a point which assumes that specialized administrators are half-wits and that the public can afford expensive procedure indefinitely prolonged." "The Future of Administrative Law," 19 *Ohio State Law Jour.* 432-440 (1958), at p. 438.

⁵⁴ *Op. cit.*, p. 174.

⁵⁵ Gatchell, *op. cit.*, p. 500.

⁵⁶ Heady, "State Administrative Procedure Laws: An Appraisal," *op. cit.*, p. 19.

⁵⁷ Louis L. Jaffe, "Basic Issues: An Analysis," 30 *New York Univ. Law Rev.* 1273-1296 (1955), at p. 1273.

⁵⁸ Davis, "Evidence," *op. cit.*, p. 1339.

⁵⁹ Ralph F. Fuchs, "Hoover Commission and Task Force Reports on Legal Services and Procedure," 31 *Indiana Law Jour.* 1-44 (1955), at p. 3.

Lack of enthusiasm for the current crop of ABA reform proposals and active apprehension concerning ultimate objectives of the new reform campaign should not be interpreted as complacency about the way in which the administrative process now functions, and rejection out of hand of all suggested innovations. Several of the changes now under consideration are beneficial and relatively non-controversial, such as improvement of facilities for public information, development of a legal career service in the federal government, and establishment of an independent Office of Administrative Procedure. Others are more debatable but deserve thorough study, such as the changed definition of rule-making.

Moreover, there are specific fields of regulatory action that call for re-examination and perhaps major reform efforts. These involve areas of regulation affecting individual personal freedom, such as those referred to earlier by Nathanson. The proper prescription, however, does not seem to be more restrictive across-the-board procedural legislation, but either statutory action to bring exempted regulatory programs under the normal procedural requirements of the APA or a re-interpretation of constitutional protections by the courts. These problem areas can be given concentrated attention and specific remedies can be applied without wholesale procedural formalization. Deficiencies in present methods of dealing with immigration cases and cases of claimed citizenship provide one example.⁶⁰

Rejection of the more drastic reform proposals does not indicate refusal to recognize deficiencies in regulatory administration but rather a conviction that the solution lies in other directions than general procedural judi-

cialization. The demonstrated and alleged shortcomings in regulatory agencies which have been recently under investigation do not seem to be as much the consequence of procedural irregularities as of staffing and management failures. A law professor has recently pointed out that the principal problem is that of securing competent officials in regulatory agencies, particularly agency heads. "Many lawyers," he states, "are disturbed by things that are happening in the administrative world because of deficiencies at the level of the agency heads. Not knowing what else to do, they apply legal precepts and try to tinker with the procedures, but the attempt is partly futile and may result in more harm than good."⁶¹ A government lawyer has called for "analysis of the internal management aspects of administrative law—as distinguished from its external aspects as embodied in rules of procedure," because poor organization and utilization of staff may cause delay and unnecessary expense, and "improved organization of existing personnel may produce both expedited and better decisions."⁶² These are not primarily legal problems; they are political and administrative. Proposals for further judicialization—which might well be harmful to the regulatory process—might be thwarted by improvements in personnel and organization.

Reforms in administrative law and the administrative process are the joint opportunity and responsibility of lawyers and administrators. Leadership should not go by default to those segments of the legal profession which are least sympathetic to the objectives and needs of the administrative process in the middle of the twentieth century.

⁶⁰ Harry N. Rosenfield, "Necessary Administrative Reforms in the Immigration and Nationality Act of 1952," 27 *Fordham Law Rev.* 145-186 (1958).

⁶¹ Fuchs, "The Proposed New Code of Administrative Procedure," *op. cit.*, p. 431.

⁶² Ginnane, *op. cit.*, p. 437.

A Dawning Zone

Colonel [William R.] Kintner is . . . a dweller in that twilight zone—perhaps it would better be called dawning zone—which lies between government and the universities, between research and action, between civilian men and military men. He and others like him, both military and civilian, are products of an age in which the formerly distinct lines between "scholars" and "doers," between soldiers and statesmen, between government officials and private citizens, have become increasingly blurred. (*Carnegie Corporation of New York Quarterly*, October, 1958.)

The City Manager and the Policy Process

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WHEN the nation's city managers assembled in Dallas last October for their annual conference, the atmosphere was one of enthusiasm and optimism. The conference theme was the commemoration of the fiftieth anniversary of the appointment of the first manager, and the delegates who gathered for the occasion could justifiably look back over the years with a feeling of pride and accomplishment.

The facts could not be disputed. In the short span of half a century, the council-manager plan had spread so rapidly that it was on the verge of becoming the most prevalent form of municipal government in the United States. In the past twelve years alone it had displaced nearly a thousand mayor-council and commission governments, and the widespread trend of public acceptance showed no signs of abating.

Increasing steadily at the rate of seventy to eighty cities each year, council-manager government was already firmly implanted in nearly half of all cities over 25,000 population. To the managers and to thoughtful observers of public administration alike, it seemed abundantly clear that the next few decades would see council-manager government become the rule and other local governmental forms the exception.

Considering the slowness with which traditional governmental institutions give way to substantive changes, the rapid growth of council-manager government seemed little short of phenomenal. Of even greater signifi-

» Several recent *Review* authors have wrestled with questions of political-administrative relationships at all levels of government. Each recognized that policy questions do not end at the boundary between political officials and career administrators. They differ somewhat on how the career administrator's decisions are to be kept responsive to public will and the political official's decisions kept properly informed by the experts. Here, two experienced and successful city managers place their current thinking alongside views expressed in the Summer 1958 issue. They explain why the amount and flourish of political debate has declined in most cities and why managers have moved into leadership on policy development. For further debate are such questions as these: Do city councils air public questions sufficiently for reasoned consideration by the public? Are managers or councils raising the important questions of urban policy at all (for example those suggested by Coleman Woodbury in the Autumn 1958 *Review*)? John Pfiffner raises related questions in a book review in this issue.

cance was the fact that the old battle cry of an outraged populace, "Throw the rascals out," had in recent decades subsided to a whisper. The great growth of council-manager government was taking place in an era of generally honest government, where the major issues had long since ceased to be crime and corruption but rather were centered around the more staid objective of getting the same job done more efficiently and with less confusion and disorder.

Perhaps it was inevitable that such success could not go unquestioned even at a birthday celebration. The Dallas conference was primarily one of soul-searching. Speaker after speaker rose to point out the pitfalls of success

and to caution against the real or imagined problems of the future. The familiar, never-answered questions concerning the philosophy of professional city management, the proper role of the council and manager, and the dearth of "political" leadership were discussed time and again.

It was easy to review the achievements of the past, and this was ably done. But the future, although rosy from the standpoint of anticipated growth, nevertheless seemed clouded in mystery. The managers and their political scientist friends knew very well where they had been and what they had done, but no one stepped forward to define the intangibles of the future.

What role would be served by the city manager of tomorrow? What would be the relation between elected council and appointed administrator in matters of community leadership? What position would the manager occupy in the mainstream of democratic life?

Though these and similar questions went unanswered, there seemed to be an underlying feeling among the delegates that there had been a sufficient degree of experience with council-manager government so that some rather definitive conclusions on the various evolutionary stages of the plan could be developed, and that a reasonably accurate forecast of the future could indeed be drawn.

A project of such a nature, involving as it does an analysis of the dynamic social order of a swiftly changing world, is quite an undertaking. We will, however, attempt to set forth our own views on the subject, hoping only that more able and comprehensive analyses will follow.

Criticisms of the Manager Plan

Throughout the history of council-manager government, critics of the plan have lodged various charges against it. The criticisms have ranged from denunciations of the "foreigner" who was imported to administer the affairs of the city in preference to a local man "who has a better understanding of the problems of the community," to charges that the manager was a dictator whose mere existence was a threat to the priceless heritage of democracy.

Most of these charges were made in the heat of local campaigns centering around the form of government to be adopted by a particular community. Time and again the electorate

listened patiently and then voted in the council-manager system with little apparent fear that any basic principles of democracy were at stake. Criticisms of this type have had little significance except for the purposes of campaign oratory.

On the other hand, the more thoughtful apprehensions expressed by a few political scientists¹ in recent years do merit consideration. Centering on the difficulties of separating policy and administration in council-manager government, their primary arguments are: that the city manager has assumed duties of policy and community leadership which were not contemplated in the original concepts of the plan, that the mayor and council seldom assert political or community leadership or initiate policy, and that the attempts they make to sell policy to the public are both infrequent and ineffectual. The manager fills this apparent void by initiating policy recommendations, and, after adoption by a seemingly acquiescent council, he proceeds as a matter of "good public relations" to debate and defend the policy before the general public.

Therefore, goes the argument, the inherent difficulty lies with the nonpartisan council which has defaulted on its proper role of policy leadership. The city manager meanwhile, posing as a professional who knows the answers, has stepped in and taken over both policy and administration.

This undue dominance over local affairs by an appointed officer is held to be improper in a democratic society and to contain the seeds of danger to representative local government. The only solution offered is to de-emphasize the manager and to re-elevate the mayor and council to a position of unquestioned eminence in policy-making and in community leadership.

The Changing Role of the Manager

One must immediately concede that the role of the city manager has changed considerably through the years, and that the manager of today participates to a far greater degree in the total processes of government than

¹ See particularly "Leadership and Decision-Making in Manager Cities," a symposium, 18 *Public Administration Review* 208 (Summer, 1958) and Wallace S. Sayre, "The General Manager Idea for Large Cities,"

14 *PAR* 253 (Autumn, 1954), pp. 257-58.

was originally contemplated. The city managers have not pretended that their role has remained unchanged. On the contrary, they have been acutely aware for many years that circumstances flowing from the near revolutionary changes in American life were putting them squarely within the policy-making processes of government.

Beginning with the first conference of the International City Managers' Association, much of the discussion centered around the question of whether the manager could be a relatively anonymous and colorless administrator even if he tried to be. The events of the years and the experiences of thousands of managers answered this question decisively in the negative. Indeed, the city managers' original code of ethics, adopted by ICMA in 1924, apparently recognized the fact that the manager—simply by virtue of his position—was inevitably caught up in the policy-making process: "It is the council, the elected representatives of the people, who *primarily* determine municipal policies and are entitled to credit for their fulfillment." In calling for the council "*primarily*" to determine policies, this official statement implied that the manager should assist in their determination.

In the years that followed, the managers gave official recognition to their evolving role through amendments to their code of ethics. In 1938, the code was amended to read that "the city manager keeps the community informed on municipal affairs. . . ." The earlier code had stated that the manager should keep the community informed only on "the plans and purposes of the administration."

The 1938 code went on to say that the manager "leaves to the council the defense of policies which may be criticized." In 1952, however, an amendment was adopted which eliminated this provision and provided instead that "the city manager defends municipal policies publicly" but "only after consideration and adoption of such policies by the council." The 1952 code frankly referred to the manager as a "community leader."

It hardly need be pointed out that changes in such documents almost always lag considerably behind the general acceptance of change by practitioners. The amendments to the code of ethics thus came many years after the institution of these practices by most city managers. But the question still must be

posed: Is the assumption of community leadership by city managers desirable?

A New Concept of Administration

At the same time as the manager's view of his responsibilities was changing, observations of scholars concerning the political role of the administrator at all levels of government also changed. The pre-World War II view of public administration as a neat well-ordered world clearly divided from politics has been replaced in most postwar writing by a definition of public administration as an integral part of the political process, with all administrative agencies and their staffs engaged in politics.

Of course the word "politics" no longer has the evil connotations that it once was forced to bear. When modern political scientists state that administration is part of the political process and that administrative agencies are engaged in politics, they mean that administrative officials and their staffs are inescapably a part of the total process of government which includes the determination of policy. This new definition seems to the city manager perfectly evident and arguments to the contrary uninformed.

A sweeping conclusion of this kind with respect to public administration in general goes far beyond a determination of the proper role of the city manager in American life. If such a conclusion is correct, then it follows that there must now begin a wholesale re-examination of political theory and of the relationship which public administration as a political process bears to the fundamental elements of democracy. An undertaking of this magnitude is, of course, far beyond the limits of this paper. But within the smaller framework of council-manager relationships, it is possible for specific observations to be made and tentative conclusions drawn.

The Changing Nature of "Political" Issues

Some of the critics of council-manager government have prefaced their remarks with wistful recollections of the "good old days" and have deplored the fact that color and bombast seem to be disappearing from the municipal scene. Related but perhaps more important, it is charged that popular participation in local decision-making and public

debate of local issues has declined. Professionalization of the public service is presented as the principal villain in this unhappy story. The city manager is particularly at fault, the critics continue, for the unnatural quiet that has descended. The solution, say these people, is to re-establish in some fashion the control of municipal governments by political parties or by politically aggressive mayors. The results will be exciting, stimulating, and earthy, and cities will once again face up to their problems with confidence and vigor.

It is our belief that these critics have underestimated the profound changes which have been taking place in the American political process and in the American people themselves. In such dramatic glorifications of an era which fortunately no longer exists to any great extent in American cities, the point is completely overlooked that almost revolutionary social and political changes have taken place during the past few generations.

The lusty type of local government political leadership which emerged in the United States during the transition from frontier towns to urban centers is rapidly becoming a thing of the past. Patronage—the life blood of local political party power—is dead in most cities and is not likely to be resurrected. Political parties have evolved to where the control of only the largest city administrations is still an important goal and a steady withdrawal of partisan influence is underway even here.

It is quite true that the old-fashioned variety of political issues are not so actively debated locally as they once were. But it is also true that such issues appear today with less frequency than was once the case.

There is no magic in this. As the body of knowledge on municipal affairs continues to grow, as leagues of municipalities and university bureaus of public administration continue to develop research data on municipal problems, the alternative courses of action to be considered by a city council dwindle. As the exchange of knowledge among city officials continues to flourish and as the details of successful municipal experiments are passed from city to city, the solutions inevitably narrow in scope.

What were once flaming municipal issues, subject to the oratory of candidates for public office, have in many instances become routine

elements of city administration. In other words, where both fact and value once were debated politically because fact was a matter of conjecture, now mainly value questions are debated because we have a far wider knowledge of fact.

Nor is the public of twenty-five or fifty years ago the same public as today. The public today is better educated and more alert to governmental progress or the lack of it than ever before. The demands and desires of the public have undergone a drastic change. There must now be unquestioned morality in government, there must be effective work performed by city employees, there must be no nepotism, and there must be no important policy determinations unless they are supported by thoughtful analysis and research. If there is a cardinal sin which will not be forgiven by the public of today, it is to hand out governmental favors which others cannot receive. Modern local government thus is held in check by public standards which are higher and more exacting than those of any earlier time.

The body of municipal knowledge has grown to the point that an increasing number of problems is resolved factually, and this has been accepted and even demanded by the public. The nostalgic belief that the reintroduction of partisan politics into local government would stimulate a more widespread discussion of issues than is now the case thus appears to be erroneous.

The Impact of a Changing Society

The vast changes occurring in our society have been enumerated so often that little space will be given to them here. The impact that such changes are having and will continue to have on the habits, traditions, and institutions of the American people is difficult to measure. But the fact that the impact is substantial is hardly subject to debate. Old patterns of life are being uprooted by newer modes of thought. The country is caught up in a restless, dynamic age in which large masses of people are constantly on the move and in which many heretofore isolated problems of cities no longer can be solved within the city boundaries but only on an areawide basis.

A large majority of the people in the United States have suddenly found themselves

compressed into a tiny percentage of the country's land area. Great masses of people whose needs can be met only on an economic-area basis find satisfaction of these needs bottled up by a multitude of independent, jealously competing political subdivisions. Local government institutions designed for an earlier time have proven archaic; the slow-moving machinery of checks and balances, long ballots and nineteenth century organization structure are perverting democracy rather than nourishing it. The cherished principle of local home rule no longer is sacred but must be re-examined in relation to the broader needs of metropolitan areas.

The country is moving swiftly from Jacksonian democracy to a democracy which is simply more workable in the modern climate. It must be a democracy with clear lines of responsibility and authority, one which encourages rather than weakens direct action to cope with the complex problems of the times.

It is this new concept of democracy coupled with the growing number of questions solved with factual rather than value answers, that has brought the professional city manager to the fore. In the years to come these same factors will result in a continued institutional remodeling with a heavy emphasis on professional administrative leadership.

While this trend is considered on the whole to be both inevitable and desirable, it nevertheless causes serious questions to be raised concerning the role of the professional city administrator.

In a time when great change is the order of the day and when governmental processes are becoming increasingly technical, does the elected council tend to rely too heavily on the city manager for leadership in policy matters? Does this reliance sometimes develop so strongly that the manager can correctly be accused of dominating the city council? Does the manager's involvement in policy questions mean that he should consider resigning if and when a policy he favored is rejected by a new council or by the electorate in a referendum? Is it desirable to lessen the influence of the manager in policy matters?

The Question of Managerial Dominance

Clarence Ridley in his study of municipal policy formulation found that 75 to 90 per

cent of all policies adopted by city councils originate outside of the council, and that many of the policy proposals are actually initiated by the city manager and his staff.²

The typical city council thus relies heavily on the manager for advice on policy matters. There are sound reasons for this. In his relationship to the council, the manager's key role is that of fact finder. It is his duty to assemble all of the pertinent facts on any policy matter which involves the operation of the city as a municipal corporation and to submit them to the council for review. Stated another way, it is the duty of the manager to assimilate the growing body of municipal knowledge as it relates to policy matters and to pass on to the council the results of his analysis and research. It is necessary for this to be done for the simple reason that the city council as a lay body is unable to obtain much of this information in any other way.

Occasionally the charge is made in local campaigns that the manager really runs things and that the council is little more than a "rubber stamp" agency. The charge is fictitious. In the years in which we have served as city managers we have never seen a city council which could be led around at will or which meekly acquiesced in policies proposed by the manager. However, if a council is interested in seeking out the best solution, heavy reliance will be placed on the accumulation of factual background data and on the judgment of the city manager. What is the local history of the policy proposal? What have other cities in the state done with the same problem? What has been the national experience? What is the current nature of the problem? Finally, what alternative solutions appear to be available, and how will they affect the operation of the city as a municipal operation?

Once these questions have been subjected to staff analysis the typical city council customarily debates the matter, pursues lines of inquiry which may not have been fully developed, and makes a final decision. The better the staff work on these questions the more frequently a reasonable legislative body will adopt the staff recommendations. There is no hidden evil lurking in this procedure.

² Clarence E. Ridley, *The Role of the City Manager in Policy Formulation* (The International City Managers' Association, 1955) p. 4.

On the contrary, it is the act of intelligent legislators to require that a complete job of analysis be submitted before final determinations are made, and it is likewise the act of a conscientious legislative body—at whatever level of government—to give considerable weight to thorough staff analyses.

The council is expert in matters of community desires and on questions of timing, and in such areas the elected representatives impose their judgment in terms of rejecting, changing, or withholding the policy proposals to a later time. The city manager is expert in fact-finding and in technical knowledge concerning the impact of alternative policies on the administrative organization. The result is policy formulation based on teamwork, with the council and the manager contributing according to their special abilities.

In our opinion the evidence overwhelmingly indicates that the typical city council which operates with a city manager is better informed on alternative areas of decision-making than is the case in any other system of local government. The accumulation by legislative bodies of full information on the problems which lie before them is a positive affirmation of democratic principle. It is the contrary approach which is open to condemnation.

As Ridley puts it, "The council's importance [in council-manager cities] has increased substantially in reviewing proposals, judging what the community wants and needs, and representing the policy after adoption. The research and fact-finding has been assumed by the city manager so that the council has more time to study, review, revise, and promote policy. Basically, the manager's knowledge and experience combined with the council's political sense and judgment will result in the best policies."³

The question is sometimes raised as to whether the manager should resign when a policy he has advocated is rejected, or when a policy he has discouraged is adopted. The question apparently centers around the idea that a city manager might sabotage through poor administration a policy he does not believe in.

In actual practice such cases appear to have arisen rarely. The manager profession is

³ *Ibid.*, p. 52.

steeped in the tradition that the city council is the policy-determining agency and that the manager is clearly a subordinate figure. If a proposed policy were supported by the manager and approved by the council and then were overturned in a subsequent council election, the manager's duty would be to accept the new policy without question and to administer it to the best of his ability.

The proof of the pudding is in the eating. If the manager does not administer policy in a manner satisfactory to the city council he should be dismissed. The council is the judge of managerial performance and summary action is readily available.

The manager does not become involved in partisan political questions. On other policy issues he customarily sets forth in writing his analysis of the problem and the solution which to him seems preferable. If this is not acceptable to the present council or to a subsequent council, he devises an alternative policy proposal or simply does what the council tells him to do.

Except on questions involving the attempted control of purely administrative matters by the council or where a policy is enacted by the council which is unethical or lacking in morality the manager has no cause for voluntary resignation.

The city manager understands that policy flows from many sources, that his duty is to give the council all of the information he can compile, and that the council must then make the final decision and bear full responsibility for it. Unless he is content to accept the decision of the council and to implement it as best he can, he does not properly belong to the manager profession.

The Great Need for Leadership

The evidence indicates that the once-political, now-routine problems of local government are often resolved more promptly and efficiently in council-manager cities than in those which maintain other structural forms. The time has come, however, when we must turn from these relatively simple matters to larger questions which as yet have received little effective attention.

The minds of men can no longer be stirred by the simple problems of local streets and sewers. These have become matters of routine

policy and governments are expected to resolve them easily and quickly. The truly important political issues lie on a different level altogether and constitute a host of problems unlike those of any earlier time.

The great issues of the immediate future lie in the dilemma of the metropolitan areas, sprawling across thousands of overlapping political boundary lines. Here, the American public desperately needs effective political leadership but is not receiving it. No single city, village, or town in a metropolitan section can hope to solve its ills alone. Yet the existing governmental machinery in many of these areas remains as outmoded as a horse and buggy in a jet age.

The leadership job which lies ahead is truly staggering. Functions of government must be redefined on an economic area basis rather than upon the existing political boundary line basis, human value goals must be realistically established, work must be redistributed, and staffs made more professional.

Here, then, is the great need for political leadership. Such leadership, however, must be intertwined with that of the professional administrator if solutions are to be found and implemented. Both are essential and neither can be effective without the other.

If political leaders are to appear who can rise to the challenge it will be both necessary and proper for them to work closely with their leader counterparts in administration. It seems evident that in the difficult years that lie ahead it will prove neither practicable nor desirable to lessen the influence of the professional city administrator on broad policy matters.

Conclusion

When measured against the problems of the present and the anticipated greater problems of the future, it is difficult to conceive of a better-balanced, more effective system of local government than the one which has found expression in the elected council and the appointed city manager. The primary

strength of the plan is the unification of powers in the elective body rather than the spreading of powers piecemeal among various segments of the legislative and executive branches as is done in mayor-council cities. It is this unity of powers which has enabled the council and the city manager to enter into a successful teamwork relationship in the development of policy.

As a result of this relationship, the council under council-manager government is able to devote its time to the truly important areas of municipal government: the weighing of proposals against the needs and wants of the community, and the expression of final determinations through the adoption of specific programs.

It is probable that the large-scale remodeling of local governmental machinery which must now be undertaken will be drawn along these same lines.

There is no danger to representative government from the council-manager system. The elected representatives alone make the final decisions and in the true American spirit stand or fall on their decisions. As for the city manager, he continues to occupy the uneasy role of serving solely at the pleasure of the council. This is as it should be. So long as the elected representatives finally determine policy, take full responsibility for it, and retain the power of dismissal over the professional administrator, the cause of representative government is adequately secure.

It is our belief that the role of the city manager has been altered and shaped by the complex forces of the times, evolving over a span of fifty years to the point where the manager properly participates in the policy-making process.

In an age where great change is commonplace, governmental institutions—reflecting as they do the fabric of American life—must also undergo change. The professional city manager is but a single example of this new era, and nostalgic references to the past will be to no avail.

Who Are the Career Executives?

By EARL H. DELONG

WHEN the current session of Congress is hesitating over the appropriation of even \$10,000 for the Career Executive Program,¹ it is one of the signs that a worthy purpose is still in substantial trouble. In this observer's view, some of the trouble, at least, has come from failure to start from the fundamental questions: Which ones are the senior career executive positions in the federal government, and what do the people in them do?

The objectives of action cannot be just the abstract purpose of finding abler people to put somewhere in government, and the process of finding them cannot be just a parochial personnel exercise which is insulated from the more general problems of management. If a senior career executive program is to be worth special attention, the personnel policies and procedures which constitute it have to be designed by working backward from the basic managerial needs and their climate.

We can assume that the aim of such a program is the improvement of officials in the level between the top political executive layer and the permanent working bureaucracy. Whether all or just some of such officials should be included is a part of the problem. The solution to the problem seems to pivot on these questions: Does the function of the officials at this in-between level most resemble that of their political superiors or that of their

► Despite continuing opposition, the Career Executive Board is going ahead with plans for a corps of top executives for the U. S. career service. Here, a longtime senior civil servant suggests the type of career executive program he believes the federal government needs: a system for discovering those relatively rare persons who have both thorough knowledge of the career civil service and the "sparkle, breadth, agility, and articulateness" of the political leader, who can bring to the political executive the resources of the career staff and bring to his subordinates an understanding of the political executives' goals. Most of these positions also require program expertise, the author argues; the corps of top civil servants must not be thought of as an interchangeable pool of management technicians.

bureaucratic subordinates? Or is that function such a mixture of characteristics from both above and below as to be distinguishable from both in the manner of its performance, in the climate required for its performance, and in the specifications for the kind of person to perform it?

The Managerial Requirement for Senior Personnel

To anyone who has sat in this in-between location as a senior career officer in the federal government, this distinguishability from superiors and subordinates has been the clearest fact of his job.

Among the many managerial requirements which must be met in the design of the structure and procedures of the executive branch of the federal government, one particularly bears on this level. This is the need, in each department and agency, for a permanent executory mechanism which is ready to carry out skillfully and promptly whatever policy and program the responsible heads of the executive branch want. In today's complex affairs, that executory mechanism cannot be skillful, prompt, or accurately responsive if it consists of bits and pieces of professional civil service

¹ Recent treatments of the subject in the *Review* cover the issue rather fully: William Pincus, "The Opposition to the Senior Civil Service," 18 *Public Administration Review* 324 (Autumn, 1958); Paul P. Van Riper, "The Senior Civil Service and the Career System," 18 *PAR* 189 (Summer, 1958). For those who want the further trails to the issues and attitudes involved, the references which they cite are a substantial start and need not be repeated here. This discussion is the writer's distillation from fifteen years spent in or very close to the senior career executive service of the U. S. government.

which are tied together only by amateur bosses. It can respond fully to the changing colors of policy only if it can respond organically. It can respond organically only if its directors are professionals who know the business of running the work of the permanent civil service and who personify the organism's own obligations to avoid commitment to any policy and to give faithful service to all policy.

In every federal department and agency, the senior bureaucratic² positions have a unique and critical role—that of translation and brokerage between the political executive and the working level bureaucracy. This role pervades the upper level of the bureaucracy; it is not limited to a few positions which have significant administrative characteristics as compared with a larger number which do not. The function is required of all persons in senior bureaucratic positions who have executive responsibility over lower line organizations, who perform major staff services to senior bureaucratic or political executives, or who direct the performance of major support activities. If this role is well performed, the organization works as an organization, however bad the top policy may be. If the role is ill-performed, the organization breaks down miserably, however good the top policy may be. Those holding such positions are intimately involved in the political executive's policy-making and equally involved in the subordinate organization's performance of the related programs.

The senior bureaucrat's function in policy-making is to bring the knowledge and capabilities of the working level bureaucracy to the attention of the policy-maker, and to do so with objectivity. He has to know the information and performance potentials of his subordinate organization. He has to know the implications of these potentials for the policy issues. He has to know how to present these implications and the policy issues to which they relate in a form which will give the policy-maker a basis for decision. It is futile to hope that the senior bureaucrat can avoid giving the political executive public and private help in explaining and defending the

decisions reached. The senior bureaucrat's intricate duty is to do all these things in a manner which leaves the next policy-maker confident that he will be served with equal faithfulness.

As the other half of his translation and brokerage function, the senior bureaucrat is the instrument through which the policy executive gets the subordinate organization to carry out his program. Even with the best will in the world, a sprawling bureaucratic labyrinth cannot just spontaneously go to work and carry out a paragraph from the "old man's" last press release. When a top executive complains that he is being sabotaged by his career civil servants, the chances are that the fault is his or the senior bureaucrat's, not that of the rank and file. The civil servants of the federal government, as a body, will faithfully carry out the superior's decision if they can find out what it is, and if they can find out in a form which can be broken down into the pieces of action which are required for the execution of the decision.

The senior bureaucrat must know what it takes to direct and manipulate the bureaucracy into effective action and convert the top policy into terms which will get it done. In particular, the senior bureaucrat must see that his organization plans and creates the future posture which it must have ready for the policy decision which is not yet born. If he knows and does all these things, the mission will be carried out as wanted. If there is no one around the front office who knows these processes, the program action is likely to be a sad caricature of the initial policy intention.

To be successful, the senior bureaucrat has to know thoroughly the subordinate organization and its traditions and habits; he has to have the breadth and intellectual stature to know and understand what his superior wants; and he has to know the technique of communicating in both directions.

The requirement for those two major functions of the senior bureaucrat is not limited to some few topics like budget or administrative services. It occurs in all federal agencies, in all of the subjects which require communication between top and bottom layers of organization. This will be most of the agency's business, and most of the people at the senior bureaucratic level of the administrative hierarchy will be engaged in these functions.

² Despite the professional civil servant's resentment of it, the term "bureaucracy" most nearly conveys the concept of the organic entity of the executive mechanism.

What Kind of Man is Required?

If the preceding description of the senior bureaucratic function has a useful purpose, it is in the identification of the common characteristics which all senior bureaucrats ought to have. It will be a demanding task to define these characteristics in the detail required for a discriminating selection procedure.³ However, they can be broadly generalized as (1) the ability to run, use, and communicate with the working bureaucracy and (2) the sparkle, breadth, agility, and articulateness which would make a man a good political executive if he were not in the bureaucracy.

If these, in a general way, are the required characteristics, it must be admitted that they are heavily loaded in favor of the career civil servant, but they do not *inherently* rule out the outsider. Some executives from outside of government have enough intuitive sense of the ways of bureaucratic organization to fulfill this role without long experience in the kind of mechanism they are supervising. Such men are rare, and no known process of screening out the good political executive is likely to sort out and pick just the men who have this quality. Some noncareer executives who do not have this intuitive sense may compensate for their own deficiency by leaning heavily on a personal staff assistant who fully knows the bureaucratic side of the job.

However, even if these accidents or make-shifts may sometimes meet the problem, they are not certain and dependable enough to be the major reliance as the source of senior bureaucrats. While we must strenuously avoid the past tendency to think that mere time in the bureaucracy equips a man to fulfill this senior function, we cannot escape the conclusion that the great body of career civil servants is the more hopeful source. This hope rests on two main facts: The civil service has so many people in it that some are bound to have that extra spark which, combined with their knowledge of their environment, will equip them for the senior role; and the career person is accessible over a long period of time for preliminary spotting, observation, and

positive development to meet the higher level needs. If we could appraise our noncareer sources with as much reliability and discrimination as our career sources, we might do well to deliberately mix the sources. However, in the primitive state of our devices for assessment of intangible personal qualities, our chances of efficient and successful selection are much higher with the bureaucratic group, and they must be our main reliance until we can perfect selection methods.

We should not arbitrarily exclude the non-government man or woman from the senior bureaucracy if one can be spotted with some certainty. Government should put its need for the best people ahead of its desire to reward employees. In view of the huge advantage which the professional civil servant has, both the civil servant and the government can well afford to let the nongovernment prospect be considered and be selected if he can make the grade. For reasons both of new blood and public relations, the advantages would be well worth the acceptance of the few who would come through a discriminating selection process.

Performance of this senior bureaucratic function does not *inherently* require a career status for the man who performs it. As an admittedly outrageous theory, we could forego career status for people at this level and provide substitute inducement by doubling the salaries over the lower levels instead of just adding one or two thousand dollars. By doing so, we might well get enough civil servants and outsiders to accept the risks of noncareer status to keep the mechanism going.⁴ As further outrageous theory, we might conceivably enforce sharp enough standards in the noncareer selection to assure quality in the selectees for as long as they survived. Since these are about the only acceptable conditions for a noncareer status approach to the senior bureaucracy, and since both conditions are such utter improbabilities in the light of the facts of politics, it seems altogether clear that the only practical approach is to provide

³Milton M. Mandell, "Hypotheses on Administrative Selection," 19 *Public Administration Review* 12 (Winter, 1959), is a challenging introduction to the things we will sometime have to do in finding executive and administrative capacity, as compared to the witchcraft on which we now rely.

⁴Even without double pay, some senior bureaucrats now move to the political level. However, their numbers are few, and the kinds of positions to which they move give public recognition and standing which are themselves a kind of security. The senior bureaucratic positions themselves do not generally have these characteristics of recognition and standing.

career status for those who are asked to accept senior bureaucratic positions. In addition, the managerial benefit of continuity is significant. There can be little doubt that the system we seek for selection and administration of senior bureaucratic personnel must be a career system.

Under the individual position approach of our past civil service tradition, selection of senior bureaucrats is left largely to the private enterprise of the supervisor. If a career executive program is to give us new gains which supplement or replace past civil service practices, the first and primary element must be an organized process to assure that senior career executives have the general characteristics needed. On this much there is agreement among the proponents of a senior career executive program. Beyond this, there is an issue: Should the career executive program require only these general characteristics, without a further formal process to match people and individual positions? Or are these general requirements only a preliminary step to be supplemented by the civil service type matching of person and particular job?

Generalist Needs Plus Specialist

The extreme expression of the generalist approach is the proposal that the career executive service, or part of it, be an executive corps in which rank is in the person and centrally directed rotation moves the members where they are needed throughout the federal service. Employee and congressional groups which particularly resist this approach have been vigorously denigrated as old fogies selfishly or stupidly obstructing all modernization. But their position cannot be so irritably dismissed. The career corps approach is an extremely valuable and proper device for some positions. However, the bulk of top U.S. government positions require specific program knowledge and skill as well as the universally needed executive qualities.

The military and foreign services of the U. S. government use the career corps approach, and quite rightly. Their members cannot be left permanently in one location. The organizational units through which their people are periodically rotated are similar in structure, function, and requirements for personnel. The corps device is the mechanism which serves these characteristics most effi-

ciently. As a method of personnel administration, it has an attractive orderliness which is a temptation to try in other circumstances. However, if it is applied in organizations which do not have the same special problems as the military and foreign services, it is likely to be entirely unworkable and it is at least awkward and more costly than the alternatives.

In most of the federal government, the bulk of the personnel, including senior personnel, can be left in one place indefinitely and will increase in value with longer time. The organizational units of the federal government, throughout which the members of an executive corps would be deployed, are not similar organizations with constant repetition from one to another of the same position structures and functions. Except for a small number of positions, such as chiefs of administration, the senior bureaucrats of the federal government are program specialists, and their value depends heavily on their specialization. The men who marry general bureaucratic expertise with functional specialization are the greatest strength of the career executive level. They should be the major membership of the career executive service because it is most important that they meet the general quality standards we have discussed. Any career service system which leaves out these men and which limits itself to special recognition for a small number who can repeat their functions from agency to agency is missing the major issue and would be unjustly discriminatory against an indispensable body of career officers.

The program activity chiefs in the United States Information Agency and in the Veterans Administration are as uninterchangeable as any pairing we could imagine. Yet both, within their special subjects, are performing the basic function of intermediary communication and catalysis between high and low organization.

To repeat: the federal government's personnel requirement at the senior bureaucratic level is double: (1) high competence in the performance of the characteristic general function of the senior career executive; and also (2) thorough competence in the program activity in which the general function is to be performed.

We have done little indeed with the first of

these requirements, and it is hopeful that we are thinking of starting. Our established civil service practices have done much with respect to the second, and could do much more and better. We have lost much by ignoring the general qualities and concentrating on the matching of people and subject matter. We would not help ourselves much by just reversing the emphasis. The requirement is for a system which adds the one and continues and improves the other.

These comments do not mean that we should go overboard on the matter of specialization. We have tended to draw specialty lines too tightly, and we have given insufficient credit to the ability of the good general executive to move to a new subject and learn it rapidly enough to do a good job. Nevertheless, while we should be more flexible in these respects than we have been, we cannot ignore the importance of subject matter competence. Good executive performance still requires its possession or its rapid acquisition.

Scope and Administration of the Career Executive Service

The purpose of the Career Executive Service (which seems a far better name than Senior Civil Service) is to head the bureaucratic organism with men who, in one direction, know how to run the bureaucracy efficiently and responsively, and who, in the other direction, know how to bring the bureaucracy fully to the assistance of the policy-maker in his performance of the policy-making part of his job.

To do this, the Career Executive Program must: define the characteristics of the function to be performed by the members of the Service, identify the positions in which the function must be performed, establish the criteria which will identify the people who can successfully perform it, find ways to discover those who meet the criteria, arrange to make these people available for the positions which require them, establish controls which will assure that these positions are staffed with qualified people, and propose inducements which will motivate these people to accept and keep membership in the Career Executive Service.

The big problem is that of producing quality throughout the federal executive service rather than producing extra quality, with

extra recognition, for some small part of the federal senior executive service.

The preceding treatment of the senior career executive function indicates that the function involves most of the positions at the senior level of the federal career service. In this light, the orbit of a Career Executive Service should presumptively include all supergrade civil service *positions* and, in due course, such GS-15 positions as are found to have the same characteristics. Against the presumption, individual positions should be excluded where they lack the required characteristics, e.g., the man who is a substantive scientific adviser to a top executive, who does not supervise substantial staff, and who does not participate in making the bureaucracy carry out the policy which results from his advice. Not only does the situation justify the general presumption approach as the most efficient administrative device, but the opposite one-by-one approach leaves too much time for the development of obstructive opposition by those who have not been reached yet.

In fixing the common standards of general quality and bureaucratic expertise for the admission of persons to the Career Executive Service, the elements of versatility and interchangeability should be ignored. The man who has the general expertise, but with a subject specialty which makes him usable in just one place, is just as necessary to the U. S. government as the man who has both the general quality and the versatility to be used in a dozen places. It is just as important to assess him carefully, and he is just as deserving of recognition for his quality.

The man who has the versatility should be discovered, kept in mind, and made available to other locations where he may be needed more than where he is. If it is to the government's advantage to move him around with inconvenience to him, we can properly give him extra recognition for the inconvenience, but the difference between his recognition and his stationary colleague's should not be so great as the difference between membership and nonmembership in the Career Executive Service. It is the use of the versatility for the advantage of the government that deserves extra pay, not just its possession. There will be much less need and use of it than many think. A system which fully combs the prospects within and without the federal govern-

ment will find enough versatility to meet the need.

The field of prospects for testing for general senior level qualities should be established by the wide open process of individual application. It is the only mechanism applicable if we are to give opportunity to nongovernment as well as government people. Further, senior executive recruitment in both business and much of government has long placed a premium on personal acquaintance and on the not-necessarily-fair judgments of the boss of the moment. This is no time and place for the U. S. government to solidify such discriminatory practice. Agency head nomination as the first screening device is an inadequate substitute for expert personnel appraisal and investigation of the prospect's total career record. Even with the help of their own professional personnel staffs, it is hopeless to expect scores of agency heads to apply sophisticated selection standards with anything like universal thoroughness and uniformity. Reliance on them will create a strong likelihood of nomination as reward rather than as examination for future potential, especially if the man with potential is likely to be lost to another agency if he comes to wider attention.

If our purpose is to assess men for utility beyond a single agency and the generalist skill needed is common throughout the government, the preliminary screening needs to be done on a governmentwide basis. If proper and discriminating standards for the selection can be formulated at all, they can be applied in a central assessment process which fully credits the judgments of the prospect's own agency without letting the agency completely dominate the decision.

All current career occupants of career executive positions in GS-17 and 18 should be presumptive members of the Career Executive Service with exclusion only for strong specific cause. Not only will the disadvantages of such blanketing in be outweighed by the resentments which any other course would cause, but the resentments would be likely to have strong justification. In the forlorn state of our current arts of executive appraisal, it is doubtful that they are up to the burden of choosing among men who have proved their title to these levels by performing in them. The grades of GS-16 and lower are place enough to start the aggressive sorting process in a

program which is essentially long-term in its outlook and hopes.

Weighing the Alternatives

It may be said that all of this is just more civil service and that a program of these characteristics would be the negation of the hopes and intentions of those who started the idea. Such a criticism would have much basis, but it would be beside the point. The significant question is: What do the managerial affairs of the federal government require?

The U. S. government does not have a clear need for a cadre of generalist administrators waiting in a pool to be assigned by a central authority to agency heads—who have few, if any, generalist jobs to use them in. If there is need for a group of senior officers available for emergency need, the need can be met by the device of the reserve list of men who can be borrowed from where they are.

The U. S. government does not have need for a system which gives special rewards and recognition to just a part of its senior career executives, just because they happened to choose administrative functions instead of line specialties and, therefore, can be used in more places. Such a system would be a discriminatory kick in the teeth to the men who carry the bulk of the load of making the federal government work.

The U. S. government does imperatively need:

1. High standards of general and special executive capability for the overwhelming majority of its senior career positions and much improved methods for finding the men or women who meet the standards.

2. A central register of these people and of positions where their services are most needed, with a staff which works aggressively and continuously to match places with people.

3. A method of recognition for its senior civilian career personnel which distinguishes them from the general body of civil servants in much the way the military officer's first star makes him a man apart from the rest of the military personnel structure.

If these things are just more civil service, they would at least be much better civil service. These are the things which would meet the substantial and critical requirements of federal senior personnel administration, and their contribution would deserve the distinguishing title of "Career Executive Program."

Reviews of Books and Documents

Book Review Advisers: Charles S. Ascher, Arthur W. Bromage, Robert L. Oshins

Tools for Decision-Making in Resource Planning

By VINCENT OSTROM, University of California, Los Angeles

EFFICIENCY IN GOVERNMENT THROUGH SYSTEMS ANALYSIS—WITH EMPHASIS ON WATER RESOURCE DEVELOPMENT, by Roland N. McKean. John Wiley and Sons, Inc., 1958. Pp. 336. \$8.00.

WATER RESOURCE DEVELOPMENT: THE ECONOMICS OF PROJECT EVALUATION, by Otto Eckstein. Harvard University Press, 1958. Pp. 300. \$6.50.

MULTIPLE PURPOSE RIVER DEVELOPMENT: STUDIES IN APPLIED ECONOMIC ANALYSIS, by John V. Krutilla and Otto Eckstein. The Johns Hopkins Press, 1958. Pp. 301. \$4.50.

PERSPECTIVES ON CONSERVATION: ESSAYS ON AMERICA'S NATURAL RESOURCES, Henry Jarrett, editor. The Johns Hopkins Press, 1958. Pp. 260. \$5.00.

THE scientific tradition has long maintained a self-conscious concern about the criteria, the rules, and prescriptions, that provide the basis for decisions between contending explanations of some natural phenomenon. A vast literature on scientific methodology has developed that enable scientists to organize information relevant to such decisions. By contrast, politicians and administrators, as devotees of an art, have frequently reveled in the irrationality of the "great game of politics," with its tactics and strategy and with its great contending forces.

Now we have a literature that is developing a self-consciousness about the tools of analysis that can assist administrators and politicians to organize relevant information for making decisions in public affairs. These writers would no more deny the "great game" of politics than they would the "great adventure" of science, but they are concerned about the availability of appropriate tools to assist decision-makers in organizing reliable and valid

evidence as grounds for decisions. Administrators have long been using tools of analysis to help in reaching decisions or in presenting a case for a decision; but the "self-consciousness" similar to the scientist's concern about methodology comes from the analysis of the tools of administrative analysis.

Each of these studies is a self-conscious analysis of some of the tools of administrative analysis, with special attention to economic considerations. The ease of quantifying money, as a common index for a vast variety of other values affected by public action, makes economic analysis a strategic tool for decision-makers.

Multiple Purpose River Development by John Krutilla and Otto Eckstein and *Water Resource Development* by Otto Eckstein derive their frame of reference from economic theory, especially welfare economics. *Efficiency in Government Through Systems Analysis* by Roland N. McKean is also concerned with efficiency as a criterion, but McKean's use of economic theory is qualified by an orientation to operations research and systems analysis that places less reliance upon the theoretical criteria of economists and is more directly concerned with improving government decision-making. *Perspectives on Conservation* is a useful collection of essays with comments on the essays. While not primarily methodological in scope, they place some of the problems of economic theory in a different perspective than do Krutilla, Eckstein, and McKean, providing a useful frame of reference particularly for an evaluation of natural resource policies but with implications for public administration as a whole.

Krutilla, Eckstein, and McKean each deal with many of the same problems while reflecting quite different perspectives and points of view. The three volumes on analysis and the

essays in *Perspectives on Conservation* maintain a useful and stimulating critique of each other's ideas; and this exchange of ideas enables the reader to come to a better appraisal of the different contentions and their applicability to administrative analysis.

The three studies in economic analysis are inclined to accept the "sovereignty of the consumer" in postulating the efficiency of the market for determining the value of goods and services exchanged in a free economy. John K. Galbraith's essay (in *Perspectives*) on "How Much Should A Country Consume?" challenges this assumption and raises questions about the "gargantuan and growing appetite" of the American economy with its institutions of planned obsolescence and advertising campaigns designed to influence (control) consumer decisions. Are consumers "sovereign?" Presumably decision-makers in business and industry base their multi-billion dollar advertising budgets upon favorable economic analyses that assume consumers' decisions can be controlled. The discussion suggests that we need to know more about the function of the American economy and the efficacy of market pricing mechanisms before we accept the competitive market as an appropriate model for government decision-making. Also, the use of the "sovereign" consumer as the appropriate decision level for allocating values in the national economy may cause serious confusion if the national economy is expected to serve some purpose other than maximizing consumer satisfaction.

Differences in style and orientation are reflected in Eckstein's and McKean's conclusions about the appropriateness of economic criteria to guide public action in water resource development. After noting several limitations on the use of the competitive economic model, Eckstein boldly concludes, "If it were the desire of all participants in the political process to maximize the total national real income, they would simply abide by the results of the benefit-cost criterion." McKean, on the other hand, cautiously states ". . . The reasons for government intervention in water resources development do *not* [italics his] make cost-benefit estimates *irrelevant* [italics mine] to the selection of projects." He suggests that public concern with water resources, unlike justice, is with goods that are valued at market prices and that cost-benefit estimates, based

upon prices that apply in the private sector of the economy, can be extensively used. Any criterion, according to McKean, is an incomplete test for decision-making.

Measuring Efficiency Through Systems Analysis

McKean's study offers possibilities for general application to a wide range of administrative problems. Reference to problems in water resource administration serves the purpose of useful illustration.

Planning and administration are concerned with the control of events in order to produce preferred consequences. He defines the problem of criteria as devising "tests of preferredness." Some consequences and their preferability are relatively easy to measure; others, such as national security, are not. "Proximate" criteria must then be selected which can serve as indices or yardsticks of "satisfaction, profits, or well-being." Performance criteria involving consistent units of physical measurement, such as the amount of nominal prime power generated or the amount of war material delivered, can sometimes be used as a substitute for monetary values in specifying benefits against which costs can be measured as a basis for decision-making. Actions seeking preferred consequences involves costs as well as gains, and the decision-maker needs to give attention to both sides of the ledger. Posing absolute requirements without consideration of costs and alternative plans may be a foolhardy approach to any problem.

The concept of suboptimization is presented to discuss the possibility of breaking a complex problem into different levels of consideration so that separate analyses may be made at each different level in decentralizing decision-making. This concept is illustrated by references to a firm's allocation of a budget among sales, production, expansion, and research as one level of decision-making. Within this allocation the sales budget may then be allocated between advertising and the employment of a sales force, etc. A higher level decision imposes a constraint upon lower level decisions. The task of the decision-maker is to optimize the results, subject to this constraint. This poses a special problem in the coherence of lower criteria with each other and of their consistency with higher level criteria.

Selecting the appropriate criteria also involves designating the scope of the system being affected by administrative action and the level of optimization desired. What is good for General Motors, for example, may or may not be good for the country. McKean emphasizes that no cut-and-dried rules are available to formulate the problem of analysis. Alternate courses of action, which can be taken, must be compared as a basis for arriving at an optimal decision. Altering the scope of the system may increase the number of alternatives available as is indicated in the subsequent discussion of planning for the development of the *Hells Canyon stretch* of the Snake River. Decision makers are left in a vulnerable position, indeed, when planning procedures lead to the recommendation of a single project or single combination of projects without indicating the scope of the system used in the planning model, the alternatives considered, and the criteria utilized in the analysis. Much water resource planning is deficient on one or more of these counts.

Building the appropriate models is as crucial to the planner and the decision-maker as it is to the scientist, only the decision-making model is apt to be much more complex than the scientist's model. McKean warns that special concern needs to be given to uncertainty, the unanticipated consequences and the intangible values that make any "criterion" an incomplete test. The relatively arbitrary limits proscribing the boundaries of a model should not exclude consideration of either the favorable or unfavorable spillover effects.

McKean nominates the benefit-cost ratio as an "ubiquitous and untrustworthy" test of preferredness. Ratios may obscure different benefit and cost components; and a ratio may prejudice large-scale projects in favor of small-scale projects. He considers the maximization of gains *minus* cost as the more generally suitable form of criterion, if both benefits and costs can be expressed in the same units. The flow of costs and benefits vary in time, so McKean suggests the use of a time stream with an appropriate discount of investment costs to arrive at "present worth." His test thus becomes the "maximization of present worth." He suggests that various discount rates be analyzed so that the decision-makers can make

the appropriate decisions depending on the tightness of the capital budget.

Where costs and gains cannot both be represented by common monetary values, McKean suggests that it is possible to specify the accomplishment of a level of performance as the gain, and then select the alternative course of action that will minimize cost. Or, if the cost can be fixed, the criterion, then, is to achieve the most gain at the given cost. Thus, nonmarketable functions such as the accomplishment of a military mission or the control of smog may be specified in physical performance criteria, and the costs of alternative strategies or approaches can be assessed as the basis for an efficient decision.

Recognizing the limitations as well as the capabilities of analytical tools in decision-making, McKean suggests that the findings be presented as a series of exhibits rather than a single set of conclusions or recommendations. The decision-maker can thus be apprised of the grounds for the conclusions reached and be prepared to render an informed judgment. Discrepancies in results will indicate to the decision-maker the relative power and limitations of different tools of analysis. Problems can be analyzed at different levels. Physical performance criteria can be utilized with economic data. Exhibits on who pays and who benefits by a course of action can be prepared so that the decision-maker can be more fully aware of the distributive effects that can be expected to flow from a project. The consideration of who gets what, when, where, and how can be made a conscious consideration of political and administrative analysis. As administrative analysis becomes more sophisticated, the presentation of multiple exhibits can be used to help the administrator organize intelligence on a wider range of problems.

McKean illustrates the application of his analysis with special reference to water resource planning. Two case studies, the Green River watershed in Kentucky and Tennessee and the Santa Maria project in California are considered in detail. In conclusion, he suggests a wide range of potential uses for systems analysis to other problems of administration including performance budgeting. The significance of McKean's contribution to administrative analysis is matched by an ease of expression and clarity in style.

Economic Analysis in Federal Practice

The two works in economic analysis by Krutilla and Eckstein and by Eckstein are more specialized studies that fit within the framework established by McKean. They are concerned almost exclusively with economic criteria and other values often are dismissed by elliptical reference to "higher criteria." However, a variety of dicta dealing with "higher criteria" creeps into the texts.

Eckstein, for example, asserts that "there is no logical way of incorporating distributive effects into the benefit-cost analysis, which must confine itself to the one dimension of benefit for the country as a whole." Yet in his "financial" analysis of flood control, Eckstein is concerned that effective criteria be developed to assess local beneficiaries for greater repayment of costs. This presumably would produce such national benefits as diminishing the pressure for new flood control projects by local interests. This is an interesting problem but exceeds the boundaries of his own "logical" constraints.

In contrast to McKean, Eckstein argues that the benefit-cost ratio is the appropriate measure in benefit-cost analysis. He sees merit in the longer-term perspective of federal water resource programs as contrasted to private developments; and, thus, urges that, "... the government use a relatively low interest-rate for design and evaluation of projects, but let projects be considered only if the benefit-cost ratio is well in excess of 1.0 (italics his)." To assure a rate of return equal to 6 per cent, he urges a benefit-cost ratio of 1.3 with the cost of money at 3 per cent and a ratio of 1.4 per cent with an interest rate of 2.5 per cent. Present federal practice simply requires that estimated benefits "to whomsoever they may accrue" exceed the estimated costs. Eckstein feels that a higher cutting point than a benefit-cost ratio of 1.0 would assure more efficient investment of public funds.

After considering the problem of criteria, Eckstein presents a detailed analysis of the practices utilized by the principal federal water resource agencies in their economic analyses of projects concerned with flood control, navigation, irrigation and hydroelectric power. Since both the agencies and Eckstein essentially accept the logic of the benefit-cost ratio as an economic criterion, his criticisms of their planning practices are made within the frame-

work of their own premises. This makes the study exceptionally valuable for those who want to understand the power and limitations of the analytical tools used by the federal agencies in their planning for water resource development. He deals extensively with the problem of arriving at economic values for nonmarketable services, such as flood control, with direct and secondary benefits, double-counting, the allocation of joint costs, and a variety of other problems.

In general, Eckstein finds a tendency among federal agencies to overestimate benefits and to underestimate costs. The inclusion of intangible benefits is rarely, if ever, accompanied by a similar statement of intangible costs. The analysis of water resources projects is usually based upon assumptions about the future which reflect substantial uncertainty, but planning reports rarely reflect this uncertainty. Eckstein notes that "... the project reports do not convey much of an idea about the issues on which the success or failure of the project may turn. The judgment is exercised by the Corps of Engineers; the Congress has little basis on which to evaluate the Corps' judgment."

The Bureau of Reclamation's techniques of analysis, including their use of interest components, power subsidies, and indirect benefits, are criticized by Eckstein. He charges:

All of these devices interfere with sound formation of public policy. They mislead the public and the Congress into thinking that the projects as a whole are self-supporting. By their technical obscurity they hide both the size and the source of the subsidy. They make it impossible for the public and the Congress to see the financial issues clearly, and they prevent a judgment on the question whether irrigation projects are worth the subsidies which they entail.

Eckstein has made a valuable contribution in his critique of federal administrative practices used in economic analysis.

Economy and Scale of Organization

Krutilla and Eckstein's *Multiple Purpose River Development* (subsequently identified by reference to the senior author) makes several important contributions that are essentially complementary to the studies by McKean and Eckstein. The analysis of market mechanics is an excellent consideration of

special economic problems of water resource development and some of the limitations of the competitive market model in dealing with water resource problems.

Krutilla's discussion of the interdependencies in multiple-purpose water resource functions, such as flood control, navigation, and power production, and of one project with another in a river system emphasizes the spillover effects which economists discuss in terms of external economies, diseconomies, and commonality problems. The scope of interdependent system values is illustrated by Hungry Horse dam in the Columbia basin which contributes nearly four times as much nominal prime power production to the Columbia River Power system through downstream development as is produced at the damsite itself. Hungry Horse also contributes substantially to flood control on the Columbia River. He emphasizes that "efficient investment in river basin development, therefore, must take account not only of the returns to the individual undertakings, but also of the complex of inter-related facilities." Krutilla then notes the implications of external economies for the scale of administrative organization:

... if the advantages of an integrated system are to be exploited efficiently, management must be coordinated so as to maximize system output rather than the outputs at individual units in the interdependent system of complementary facilities.

By changing the scale of the management unit, external economies or spillover effects can be "internalized"; thus, a useful economic criterion is provided for the design of administrative organization.

In devising substitute values to approximate the requirements of a competitive model, an analysis is presented of the social cost of federal investment funds. Since federal funds come primarily from income taxation, an effort is made to determine alternative costs of credit to federal income taxpayers. This cost is considered to be the social cost of federal investment funds, and federal projects are charged with an interest rate of between 5 and 6 per cent in making the benefit-cost analysis. Whether the value derived from these inferences indeed represents the value of "foregone opportunities" to the taxpayer would require a much better understanding of consumer behavior in view of perceived alterna-

tives. In any case, this analysis of the social cost of federal financing provides a useful reference for determining the discount rate in one of the exhibits that might be included in any planning report. Only experience with such a criterion for the cost of public investment funds can indicate its merits for limiting public demands upon capital. At what point, Galbraith might ask, do we limit investment funds for new kilowatts and water supplies in order to provide more elaborate or frequent style changes in consumer goods for the great American potlatch?

The theoretical considerations are followed by three case studies in applying this economic analysis to the Hells Canyon controversy, the Alabama-Coosa River system, and the Willamette River development. A more detailed consideration of the problem of economic analysis of alternate projects in the Hells Canyon controversy may be instructive.

Krutilla accepts the cost estimates of the Idaho Power Company for his analysis. Two structural failures, one with a coffer dam and another with fish passage facilities, poor planning and design of the fish barrier which may require unnecessarily high operating and maintenance expenses, and the use of short-term loans which obviated detailed review of plans to finance construction charges by proper regulatory agencies, all serve to cast doubt upon the adequacy of the company's plans, structural design, and cost estimates. Comparative analysis of projects is futile without reliable cost data.

Krutilla's comparison includes the proposed high Hells Canyon dam, the three low dams proposed by the Idaho Power Company, and a two-dam alternative with an intermediate Hells Canyon dam. The scope of the system used and the alternatives considered have a profound bearing upon the analysis. Accepting the problem of planning for the *Hells Canyon stretch* of the Middle Snake within the Columbia River system as the scope of analysis leads to some interesting conclusions. On the basis of a low rate of interest (2.5 per cent) the high Hells Canyon project appears the more efficient development. With a higher rate of interest to represent the "social cost of federal financing" at 5.5 per cent, Krutilla indicates that evidence is inconclusive regarding the efficiency of the high dam *versus* the three low dams. However, the third alternative of

the two-dam plan, which was never seriously considered, appears to be relatively the most efficient at the 5.5 per cent interest charge on the investment.

When analysis of the projects is made with the Idaho Power Company and its requirements as the relevant system, the three low dams became relatively more efficient than either the two-dam alternative with an intermediate Hells Canyon dam or the single high dam. The company as a relatively small utility can gain an advantage in scheduling smaller increments of power to meet limited load requirements. Thus the scale of organization and the scope of the system become crucial elements in considering project alternatives in any planning model.

This might lead one to question the segregation of the *Hells Canyon stretch* of the Middle Snake from the balance of the deep canyon country of the Middle Snake. An intermediate Pleasant Valley dam, for example, would flood the Hells Canyon site and a high Pleasant Valley dam would also flood the Oxbow site. Middle Snake plans have a direct bearing upon water resource development for the whole Columbia River including the Canadian portions of the basin. Potential storage sites in the American portion of the Columbia River Basin are relatively limited in relation to the yield of the Columbia River system. One of the interesting exhibits, in McKean's sense, would be an estimate of the competitive disadvantage that failure to use storage potentials in the Middle Snake would have upon American negotiations with Canada over the recapture of downstream benefits from Canadian storage.

In the analysis of the development of the Alabama-Coosa River system, Krutilla indicates that it is possible to secure a fit between the requirements of a private enterprise, the Alabama Power Company, and efficient use of a river system for multi-purpose development. The equity of assessing nonmarketable project services, such as flood control, against the power consumer is raised as a question that is not easily resolved.

Similarly in the Pacific Northwest, the requirements of smaller utility enterprises have been reconciled with relatively efficient use of smaller tributary river systems for multi-purpose development, including the Pacific Power and Light on the Lewis River, the Portland

General Electric on the Deschutes and Clackamas rivers, the Eugene Water and Electric Board on the McKenzie River, and the Seattle Power and Light on the Skagit River. This raises the question that if alternative tributary river systems were available, might the Idaho Power Company have selected a stream that would assure a more appropriate fit between its requirements for an economic power supply and multi-purpose development?

Non-economic considerations, of course, enter into decisions in the private sector of the economy as well as the public sector. A useful exhibit for decision-makers might be an assessment of the expected effect of alternate water resource projects in the Hells Canyon controversy upon the distribution of political power as well as the economies of hydroelectric power development. In some segments of the power industry, the control and distribution of political power appears to be more important than the production and distribution of electric power.

The case study of Willamette River development is largely an analysis of the distributive effects of water resource development. The significance of the contribution which economists can make to a consideration of who pays the costs and who gains the benefits is indicated in the following conclusions:

Under private development of Northwest hydroelectric sites the cost of power to customers would be greater than if the power were supplied through public development. If private development is undertaken with the aid of accelerated amortization privileges, the cost of power to customers is not decreased. Those who gain from such a policy are those who own shares of stock in the private utility. From the customer's viewpoint there would be practically no advantages associated with private development of hydroelectric sites; the gains from rapid amortization privileges would go mainly to eastern investors in the private utilities, rather than to consumers of electricity through lower power charges.

Krutilla further concludes that federal development of water resources in the Northwest is consistent with considerations of regional development. Problems of interdependencies and management efficiencies gained from a scale of operation that can "internalize" the benefits to be derived from integrated control of a river system emphasize an essen-

tial role for federal administration of water resources in our great interstate river systems.

Toward "Broader Bases for Choice"

Essays on "How Much Should a Country Consume?" by John K. Galbraith, "The Political Economy of Resource Use" by Edward S. Mason and "Broader Bases for Choice: The Next Key Move" by Gilbert F. White in *Perspectives on Conservation* complement the three analytical volumes. Galbraith questions the conspicuous consumption of the American economy and by so doing implies that decision-makers might place economic values relatively lower in their scale of values. This point of view, of course, reflects the high degree of efficiency already attained in the American economy and does not propose to sacrifice efficiency as a significant criterion in decision-making. Mason explores some basic problems of economic theory in considering concepts of conservation and natural resource policies.

White notes a paradox that "... at the very time that our economic tools are becoming more precise and more widely applicable, our national thinking has reached a stage at which increasing stress is placed upon aesthetic and national security values which are less susceptible of economic analysis." Rather than seeing a paradox, White may be noting a level of accomplishment in economic analysis that is attainable, while pointing to the need for other tools of administrative analysis to give decision-makers a greater degree of awareness and control over other than economic values in public affairs. Physical performance criteria joined with economic values can advance analysis, and multiple-exhibits can encourage variety in analytical tools for reporting different types of data. Even aesthetic criteria might be devised as standards for administrative analysis.

The value of physical performance data alone in providing the initial basis for sorting project alternatives is well illustrated by the *Snake River Study* recently published by the Oregon State Water Resources Board on the controversial Middle Snake region. Seven different combinations of projects developing the full power head in the Middle Snake were analyzed using only consistent measures of physical performance. A high Mountain Sheep project, previously excluded in analyses by

federal agencies, appeared among the high producing combinations. Subsequently, the Corps of Engineers included this project in a reappraisal of its earlier report, and has now recommended inclusion of the high Mountain Sheep project in the comprehensive plan of development for the Columbia River system. The Federal Power Commission had considered only the high Nez Perce dam and the low Mountain Sheep and Pleasant Valley dams as alternatives. Physical performance measures can indicate potentialities worthy of further exploration by economic analysis. A number of additional project alternatives and combinations can be analyzed at rather nominal costs with modern data-processing equipment.

The sequence of analysis, too, may have a profound effect upon the value of benefit-cost analysis as one aspect of decision-making. A surprising number of resource agencies impose requirements of political feasibility before considering physical performance or economic criteria. The Corps of Engineers, for example, uses a variety of political criteria to include or exclude projects from consideration in their planning studies. Budgetary controls may also impose political criteria upon project planning.

Unfortunately, the politically expedient project may have lower performance standards and economic values than some other project alternative that is judged to be politically inexpedient. With better data on performance and economic value, decision-makers might develop a better awareness of the costs of political expediency and attempt to use a greater measure of imagination in establishing the feasibility of otherwise favorable projects. Projects excluded on grounds of political infeasibility cannot be considered on their merits in subsequent analyses. Judging political feasibility in advance of competent analysis is simply prejudging a decision.

Methodological sophistication in decision-making requires that the results of the different modes of analysis in program planning be subject to detailed and systematic analysis. Every plan is a model indicating potential courses of action to produce preferred consequences. The model can be conceived as a hypothesis with which the planner predicts a future state of affairs. Experience based on action can serve as a test of hypothesis in the

world of practical affairs as well as in the laboratory. The results of experience must be assessable if planning and action are to serve as the basis for learning and extending the boundaries of knowledge. Detailed appraisals of the consequences flowing from action that is based upon planning are essential to establish the reliability and the validity of the models used in planning. Unfortunately, detailed planning is rarely accompanied by comparably detailed appraisals of the plan in action and the events

which follow. Only on the basis of *planning*, *action*, and *appraisal* can the methodological significance of different analytical tools and criteria be tested. John Dewey has indicated that the test of logic, as the theory of inquiry, can only be derived from the experience of scientific investigation. In a similar way, the methodological significance of the tools of administrative analysis can only meet their test in the experience of planning, decision-making, and administration.

Policy Leadership—For What?

By JOHN M. PFEIFFER, University of Southern California

THE ROLE OF THE CITY MANAGER IN POLICY FORMULATION, by Clarence E. Ridley, International City Managers' Association (ICMA), 1958. Pp. 56. \$2.00.

CITY MANAGEMENT—A GROWING PROFESSION, a committee report, ICMA, 1957. Pp. 84. \$2.00.

THE SELECTION OF A CITY MANAGER, unsigned staff report, ICMA, 4th ed., 1957. Pp. 26. \$2.00.

GUIDEPOSTS ON ASSUMING A CITY MANAGER POSITION, unsigned staff report, ICMA, 1957. Pp. 36. \$2.00.

TRENDS IN SALARIES OF CITY MANAGERS, unsigned staff report, ICMA, 1957. Pp. 42. \$2.00.

THE ROLE OF THE ASSISTANT MANAGER, committee report, ICMA, 1958. Pp. 48. \$2.00.

CHECKLIST ON HOW TO IMPROVE MUNICIPAL SERVICES, unsigned staff report, ICMA, 1958. Pp. 62. \$2.00.

LEONARD D. WHITE conducted a nationwide survey of council-manager government during 1926-27, approximately 20 years after the inauguration of the plan in 1908. While White viewed the scene with over-all approval and optimism, he nevertheless pointed out four hazards which might impair its future success—observations which would seem to constitute an admirable point of reference for reviewing the volumes under consideration.¹

¹ Leonard D. White, *The City Manager* (University of Chicago Press, 1927).

This was the era of crusading and reform and of first adoptions as compared to the stability of today. Hence the first thing to arouse White's apprehensions was what he called the failure of the city councils arising largely from the loss of momentum on the part of citizen reform movements. The first-class citizens elected to the original council retired, leaving the field to mediocre self seekers. Such a situation created a leadership vacuum which the aggressive and colorful personalities among the first managers were not loath to fill. This gave rise to White's second apprehension, namely, that aggressive community leadership on the part of the managers would endanger the future of the plan. Along with the writers and reformers of that day White went on to advocate a separation of politics and administration with the manager presumably playing a role characterized by a passion for anonymity.² White's third apprehension related to the tendency in those days to prefer local men as managers, and the fourth was concerned with the need for a steady flow of well-trained young men to enter the profession.³

Aggressive Community Leadership

The city manager's relation to policy is central to administrative thought today because of the attack upon the policy-administration

² *Ibid.*, p. 301.

³ For a survey of the situation roughly ten years after White's study, consult Harold A. Stone, Don K. Price, Kathryn H. Stone, *City Manager Government in the United States* (Public Administration Service, 1940).

dichotomy by the younger political scientists since World War II. If there are any remaining defenders of it they are virtually in full retreat. It seems appropriate that upon the fiftieth anniversary of the council-manager plan, Clarence E. Ridley, recently executive director of the International City Managers' Association, should survey existing thought and practice in this still vexing area relative to the proper role of the manager as a community leader and policy maker.

Throughout its existence there have always been those who criticized the plan for its alleged failure to institutionalize political leadership. In the orthodox concept of the manager form the mayor is merely a presiding officer, ceremonial greeter, and authenticator of legal documents. For the most part he has played a rather subdued role even in those cities which have provided for his direct election to that office rather than appointment by his colleagues. The failure of the plan to be adopted by the very largest cities has sometimes been attributed to this alleged weakness, apparently upon the assumption that huge metropolitan cities require strong political leadership.⁴

The data for Ridley's study were gathered through questionnaires returned by and interviews with city managers. The work is to be commended because it is empirical, based upon the systematic gathering of information in the field; however, Mr. Ridley undoubtedly would want pointed out that his sample may be biased by including data from only the members of the profession. It is to be hoped that Mr. Ridley's spade work will stimulate follow-up studies which will tap the opinions of elected officials, other career officials, and the citizenry.⁵

Ridley's study centers around the second issue raised by White, namely, the city man-

ager's role in policy-making and leadership. He states that the "hard-and-fast distinction between policy and administration was never practiced under the council-manager plan and is no longer accepted as valid." Adrian's study is cited to support three propositions: (1) mayors and councilmen do not in general provide policy leadership; (2) about half the broad policy recommendations originate in the manager's office; and (3) outside citizen groups originate more policy than do councilmen.⁶ City managers are unanimous in believing that they have responsibility for initiating policy and that their councils expect them to be "idea" men. The crucial consideration is not "whether" they participate in the policy-making process, but "how" they do it. The first behavioral rule would seem to counsel the manager to refrain from taking the limelight away from councilmen. He should avoid becoming identified with an individual or a clique of councilmen, although it is often good tactics to induce a particular one to "carry the ball" on a policy issue.

There are certain policy areas in which the manager can reasonably exert a good deal of influence and others in which his role is more limited. The former include technical questions where factual data play a strong part and matters of internal management wherein the manager is presumed to have professional competence. The manager's influence should perhaps be more limited, on the other hand, in partisan political issues, moral and regulatory questions, public versus private ownership, and relationships with other political bodies.

The picture of the city manager which emerges is that of a strong person engaging in community leadership, because he is expected to do so and because his professional qualifications cause him to emerge naturally as a community adviser. His proper behavior in doing so is to preserve the myth of council leadership by deft manipulation,⁷ a word with sinister connotations for many value-centered social scientists. While the impression is left that

⁴Wallace S. Sayre, "The General Manager Idea for Large Cities," 14 *Public Administration Review* 253 (Autumn, 1954). In this connection, however, it should be noted that two of the nation's largest metropolitan counties are operating under modified council-manager arrangements: Los Angeles County, California, and Dade County, Florida.

⁵An unfinished critical incident study concerning the manager's leadership role, under way at the University of Southern California, suggests an endemic conflict situation between mayor and manager in many cities and that some managers resent members of the council assuming a role of criticism and aggressive leadership.

⁶Charles R. Adrian, "A Study of Three Communities," 18 *Public Administration Review* 208 (Summer, 1958).

⁷The word is used here in much the same sense as in Morris Janowitz, "Changing Patterns of Organizational Authority," 3 *Administrative Science Quarterly* 473 (March, 1959). A broad equivalent is "persuasion."

managers assume community leadership because of failure on the part of mayors and councilmen to do so (a political vacuum), one suspects⁸ that the instances are not few wherein managers are nettled by the efforts of mayors and councilmen to assume aggressive leadership.

Ridley's study, along with that of Adrian, is to be commended as a step toward the new empiricism advocated by Key in his American Political Science Association presidential address⁹ and which is gradually taking form as the result of growing interest in behavioral approaches. There are those who see the obvious methodological deficiencies in such studies and others who deplore the inevitable controversies relative to methodology which they invite. The latter refer deprecatingly to the methodological criticism which characterizes some of the journals of other social science disciplines, sociology for instance. Such criticism is inevitable, healthy, and indicative of a maturation process in action. When our own journals begin to bristle with quarrels about methodology, rather than agnosticism toward any empiricism, we shall have taken a long step toward adulthood.

Status of the Profession

White's third and fourth apprehensions posed the problem of the source and supply of managers. He was anxious about the tendency then prevalent to select a local man, and he also wondered about a continuous flow of trained people into the occupation. The second, third and fifth items above are concerned with this matter. The tendency is decidedly in the direction of professional stabilization, both from the standpoint of geographical area of choice and the type of person who is appointed. In 1957 and 1958 over three-fourths of the cities appointing city managers took men from the outside, as compared to a little over half for the decade 1940-1949. The average age of initial appointees is experiencing a downward trend, which probably correlates with a marked tendency to select persons with college training in public administration, many of whom have been interns in man-

agers' offices. The rate of turnover is definitely downward, being 7.7 percent in 1958 as compared to 11.5 in 1956; and the average tenure is also on the increase.¹⁰

Chapter 6 of the second item, entitled "City Management as a Profession," poses the question as to whether it really merits that dignity. The conclusion is implicit in the title, namely, that city management has taken on many of the aspects of a true profession. While no educational standards are required, the fact remains that professional training is increasingly demanded for entrance. The code of ethics which is boldly printed on the rear cover of each of these pamphlets is worthy of professional standards and has been well lived-up-to. The committee which prepared this report rejected the proposal that managers be licensed, because managers should be young, bold, and venturesome and should not as a group constitute a protected inner circle. The managers should be regarded as belonging to the salaried as contrasted with the self-employed professions. Restrictions placed upon the appointment and tenure of managers would infringe upon popular control of local government, "which is the primary ethical imperative of the city manager profession."

White stated that the "managers have not been inventors, but they have adopted sound methods of administration. Their administrative record is on the whole admirable."¹¹ Since the time when he wrote, a constant flow of "how to" publications, including the well-known and frequently revised green-bound training manuals, has come from ICMA headquarters. Items 3, 4, 6, and 7 fall in this category. One is not prepared to utter judgment as to whether there has been much innovation on the part of the managers during the intervening decades. Attendance at their meetings, both national and regional, suggests an interest in tried and pragmatic solutions rather than innovation. City management is in a certain sense an ulcer-producing occupation; the ecology may very well create a hesitancy to strike out in new directions. At any rate, the ICMA headquarters is to be commended for its continuous record of bringing

⁸ From reviewer's casual observation.

⁹ V. O. Key, Jr., "The State of the Discipline," 52 *American Political Science Review* 961 (December, 1958).

¹⁰ *Recent Council-Manager Developments and Directory of Council-Manager Cities* (ICMA, 1959), p. 8.

¹¹ *Op. cit.*, p. 305.

the best known management practices not only to the profession but to other interested persons.

It is now accepted that the manager's role includes sotto-voiced policy-making and community leadership. Furthermore, the definite and accelerating trend is that the managers shall be graduates of university curricula in public administration. This raises questions which should be of joint concern to both the manager and academic professions, although one hears them voiced more often in academia. What are the value systems of the managers? Do they lean toward the viewpoints of the more conservative elements of the community? Would their environment permit them to be social philosophers if they had inclinations that way? Are the public adminis-

tration curricula turning out management technicians devoted to the cult of efficiency but largely neutral toward the broad humane considerations relating to community development?

As one with long experience in the university training of both future and incumbent city managers, your reviewer can say with great confidence that we have had more than ordinary success in preparing students to enter and remain in the manager profession. Nevertheless one is occasionally haunted with the apprehension of having possibly failed in the inculcation of a broad philosophy in which social values will have counterpoised those of the counting house. Is the time not ripe to emphasize not the "how to" but the "what" and the "why?"

Organizations: An Executive's View

By CHARLES B. STAUFFACHER, Continental Can Company

ORGANIZATIONS, by James G. March and Herbert A. Simon (with the collaboration of Harold Guetzkow). John Wiley and Sons, Inc., 1958. Pp. 262. \$6.00.

MARCH and Simon have written a studied and reasonably comprehensive book tracing the development of the analysis of organizations as the central means of human association. They stress in this book, as in previous writings, the movement in the literature on organizational analysis from the so-called "classical" school emphasis on structure and definition of work units to a secondary school in which individual attitudes and motivations are stressed, and to a third school where the "literal" and "intellective" aspects of organizational behavior are emphasized. In the classical school they feel that the individual is regarded only as an instrument whereas the latter two schools stress—in passive and active phases—the effect of psychological and sociological factors on individual and group action.

Behavior and Classical Organization Theory

The authors continue to tilt with the description of the classical theory which they

have propounded and characterize it at various stages as "artificial" and "naive." This general derogation of the classical theory is based upon their view that, since individuals are more complex than it assumes, the application of classical theory might produce results which the classicists could not have predicted but which those with a more sophisticated and knowing view of the psychological and sociological aspects of human behavior might predict.

Certainly, it is an advance in the understanding of organizational behavior to view individuals as complex personalities and to attempt to understand their action under various sets of personal and group situations where socio-psychological forces are at work. Also, the authors' emphasis on further research in this field is well-placed.

The book is somewhere between a behavioral study and a descriptive study of the common attributes and problems of organizations. The purpose, however, is not always clear to this reader. For example, an involved description of the human ability to recognize, select, identify, resort to, etc., goals leads up to a prediction that an organization will have a budget—though not so phrased. This invests

the process with greater mystery and elaborateness than actually exists.

It is still this reader's opinion that the principal issues of authority, structure, and even procedure employed in "classical" theory must be dealt with in any organization, taking the individuals as they are found and even looking to the day when chemical formulae may well displace the psychological emphasis. The primary purpose of an organization, as the authors note, is to promote effective human association in the accomplishment of a stated goal. The importance of the role of authority and leadership; the planned definition of duties for the participants; the formulation, review, and re-establishment of goals for the organization can ill afford to be lost in the complexities of the motivational aspects of the participants. Yet—in the same breath—any wise administrator will do well to appreciate the socio-psychological problems of the individuals and groups with which he is dealing. Much of this socio-psychological emphasis, which now has spawned an awesome vocabulary, seems to me to have been embodied in the classical phrase of "dealing with people as individuals," though I am sure our authors would not make this allowance.

Contributions of the Socio-Psychological Approach

With various devices in various orbits around various celestial bodies, it is foolhardy to question things scientific, but possibly safe to question at least their phraseology. The "scientific" evidence that is offered as indicative of individual and group differences in organizational behavior amounts in most cases to almost self-evident statements—even to a classicist. For example:

The greater the specialization by subprograms, the greater the independencies among organizational subunits.

The greater the standardization of the situation, the greater the tolerance for subunit independencies.

Increases in the balance of inducement utilities over contribution utilities decrease the propensity of the individual participant to leave the organization.

Thus not only a recession, but also a slowdown in

a boom may increase the frequency of intraindividual organizational conflict.

We can also specify types of organizations that will be particularly prone to conflict. For example, an organization that is relatively unsuccessful in a growing industry will be more prone to intraindividual organizational conflict than will other organizations.

From this one would predict that programming will be most complete for clerical and factory jobs, particularly when the work is organized largely by process.

As a corollary to the first point, we would expect data in reports of operating statistics to trigger innovative effort when data showed performance falling below present standards.

If the top levels of an organization have a program for the periodic review of the "organization character" this program will become an important stimulus to innovation at that level and lower levels.

In general, the pattern of attention will be less stable the higher the organizational level. Hence the participation of high levels in particular innovative efforts will vary greatly with the number of other high priority items on the agenda.

That these random illustrations, which are not unfairly quoted, represent an answer or new contribution to the understanding of organizational philosophy which was prevalent in the society before the works of these authors is something I find very difficult to believe. However, such tilting between "classicists" and "socio-psycho" organization men—while fun—is not of import, as the authors themselves recognize. Certainly, there is a great need to know more on all phases of "organizations" and to understand why individuals and groups react as they do—and indeed, to learn more about predicting such reactions. This calls for further research along the "socio-psycho" line.

The authors have made and have further important contributions to make to the analysis of organizations. I would urge two points: First, an attempt to simplify their vocabulary on the subject of organization, or else the academician in this field will be more and more separated from the practitioner both in government and industry; and second, a somewhat less grudging attitude toward the classicist emphasis on structure and authority—or else a clearer statement of what they see in place of those phenomena in an organization.

Organizations: A Social Scientist's View

By DOUGLAS PRICE, Columbia University

ORGANIZATIONS, by James G. March and Herbert A. Simon (with the collaboration of Harold Guetzkow). John Wiley and Sons, Inc., 1958. Pp. 262. \$6.00.

ORGANIZATIONS strikes this reviewer as an important book for two main reasons. First, in its earlier chapters the authors pull together and codify a vast amount of past research on scientific management, "classical" organization theory, and industrial relations. This careful analysis and restatement is a highly useful job, especially for the academic researcher. For the practicing administrator, however, the book's greater claim to attention rests on a second aspect emphasized in the final two chapters on "cognitive limits on rationality" and "planning and innovation in organizations." Here we have the fullest statement yet available of the view of human behavior toward which March and Simon have been moving over the past decade.

Man: Rational with Limits

Most academic theories of human behavior are notoriously unrealistic in that they either picture man as a purely rational calculator (as the "economic man" of classical economics) or they go to the other extreme of viewing man as being hopelessly driven hither and yon by his emotions (as in some Freudian psychology). The authors reject both extremes and attempt to work out a model in which man is "intendedly rational," that is, is rational *within* the limits imposed by his own mental "picture" of the world. This limitation turns out to be of tremendous significance, and is the authors' main key to understanding much individual and organizational behavior.

Does the idea of "limited rationality" suggest anything more important than that pencils should have erasers so that errors can be corrected? Consider the problem of reorganizing the Defense Department. A *fully* rational decision would have to (1) consider all possible alternatives, (2) determine all consequences resulting from each possible alternative, and (3) evaluate these consequences so as to select the one best plan. In practice no

Hoover Commission or congressional committee can hope to come even close to meeting any one of these three requirements for perfect rationality. Yet reorganizations are accomplished, and not as a matter of whim; they are based on consideration of a few alternatives, with very rough estimates of probable consequences and with selection of a "satisfactory" plan (which may not be the best possible but which, it is hoped, will bring some improvement). The search is for satisfactory alternatives, not for optimal ones.

Those familiar with the authors' previous works, making sophisticated use of mathematical models, symbolic logic, and economic terminology, may be surprised (and pleased?) to find that they are now relying more on straight prose. The reading, however, is not always easy since it includes an indirect education in learning theory and the psychology of perception. The authors could have preserved some mathematical niceties by adjusting a pure maximizing model to include information costs for searching out alternatives and for information processing. Five years ago this might have been a temptation, but now the authors express doubt that it will be fruitful "to maintain the optimizing model by introducing cost-of-search considerations." (p. 141) They are willing to sacrifice the computational ease of a maximizing model for the greater realism of adaptive adjustment toward "satisfactory" goals.

Limited Rationality within Organizations

The importance of the limitations on rationality for understanding the structure and operation of organizations is obvious. An organization is not only a means for achieving division of labor and allocation of authority, it is also a coordinative system that makes decisions (including some wrong ones) and solves (or tries to solve) problems. In doing so, most organizations do not function completely rationally: inaction is favored over action, the status quo program is favored over a proposed alternative, dissatisfaction must build up before there is serious search for alternative programs, and patterns of communication often

lead to considerable decentralization of effective—as distinguished from nominal—decision-making. Decentralization of effective decision-making results from subordinates communicating to superiors the inferences they draw from a body of evidence instead of the evidence itself. The decision is then based on the subordinate's analysis which in large part circumscribes the decision. This, Simon and March call "uncertainty absorption," i.e., the uncertainty concerning an answer is absorbed by the subordinate though the superior appears to make the decision.

Even a book review falls within this process; the reviewer reads all of a volume, draws inferences about its merit, and then communicates these conclusions in the course of a brief review. Why is such a barbarous practice permitted? Apparently because the book review, like large-scale organization itself, is a necessary evil arising from man's efforts to pit his very limited mental and physical powers against a highly complex and rapidly changing environment. The diligent administrator can no more read every book and article re-

lating to his subject than can the diligent cabinet member read every communication coming to or going from his department. Thus book reviewers, like subordinate bureau chiefs in a busy department, may come to exercise effective power that they would not have if men were infinitely capable.

That there are limits on man's rationality and that these limitations have important consequences is not an entirely novel insight. It has been commented on by Walter Lippmann (who warned of man's "stereotypes"), by Stendhal (who brilliantly described the "crystallization" of a lover's image), by Francis Bacon (in his famous four "idols" which distort man's thinking), and even by Plato in his discussion of "myth." But to mention a phenomenon and to rigorously analyze it are two very different things, and March and Simon attempt the latter. If they have not discovered the "best" possible analysis, they have at least presented an exciting one which, to this reviewer, is a "better" one (an adaptive movement toward a "satisfactory" level) than any of its predecessors or current competitors.

Changing People and Organizations

By HAROLD J. LEAVITT, Carnegie Institute of Technology

THE DYNAMICS OF PLANNED CHANGE: A COMPARATIVE STUDY OF PRINCIPLES AND TECHNIQUES, by Ronald Lippitt, Jeanne Watson, and Bruce Westley. Harcourt-Brace and Company, 1958. Pp. 312. \$6.00.

THIS book is one manifestation of a recent revival of interest in the general processes of changing people's behavior. Ginzberg and Reilley's *Effecting Change in Large Organizations* is another. Antedating these one can find Katz and Lazarsfeld's *Personal Influence*; and before that Hovland, Janis and Kelley's *Communication and Persuasion*. Before that the field seems to have been owned by Dale Carnegie.

The Dynamics of Planned Change, however, is not like any of these other works, nor is any of them like any of the others. Current interest in behavior change seems to have

sprung from diverse, in some cases almost independent, roots; as though several disciplines had simultaneously felt more need for greater understanding of the processes of change. Thus Ginzberg and Reilley take a top management perspective on change; Katz and Lazarsfeld worry about the "flow of influence" through a community; and Hovland et al. report laboratory experiments on influence and persuasion.

The Dynamics of Planned Change is classified more properly as an inventory than a research report. It sets about to examine, compare, and relate the theoretical frameworks and the techniques utilized by many kinds of "change agents" working with many kinds of "client systems." The authors try to classify similarities and differences in orientation and methodology among such diverse people changers as psychotherapists, case workers, or-

ganizational consultants, human relations trainers, group therapists, community consultants, and many more. Then they try to draw some conclusions about the professional training of change agents.

The authors make a point of excluding the activities of change agents who try "to change attitudes . . . [by] efforts of persuasion or indoctrination," because "these are not collaborative and do not involve a *helping relationship* between a change agent and a client system" [my italics]. I have quoted those passages because they provide a flavor of some of the strengths and weaknesses of the book. Very usefully, in my opinion, it surveys and sets in a framework the activities of many kinds of "helping" changers. But it loses some of its value through vague and imprecise definitions of much used terms like "helping relationships," and through its, to my mind, unsuccessful and often inappropriate categorizations. It seemed to me, for instance, that *within* the class of "helping relationships" the authors later cite instances of activities most of us would call efforts at persuasion.

The book should be useful in several ways both to students of change and professional (or amateur) changers. Its early chapters about the frameworks that different changers use to look at change should serve as an eye opener to those of us brought up within one point of view. There is real value, too, in arraying in one place the variety of techniques changers use to open and establish relationships; to diagnose client problems; and to provide support to people trying to change. And I suspect that the idea of professional training specifically in planned change may have an important impact.

The biggest weaknesses of the book were two: imprecision of terms and redundancy. The two tend, of course, to walk hand in hand. I have already mentioned "helping relationships," an idea used again and again

but nowhere satisfactorily pinned down. It *may* imply some things about the motives or perhaps values of the changer; and/or it may be simply descriptive of one class of change situation. Similarly, the book's periodic efforts at formalization sometimes turn out to be empty shells. At one point (p. 66) for instance, the reader is told that the change agent's "informed objectivity may be said to depend on three axioms. . . ." From what follows it appears that the first "axiom is that the change agent who is approached by a system in difficulty may assume that he understands the *general cause and effect sequence* which led to the difficulty." Then, "a second axiom specifies the use of certain *diagnostic procedures*," and the "third axiom concerns the *subject matter of change*." These "axioms" violated the expectations that word usually sets up.

The other big difficulty is wordiness. Much of the useful inventorying and categorizing could have been done in a much shorter work. Note that I do not object to the many rich and interesting cases and illustrations. But there is a great deal of redundancy in the exposition and labelling of categories and sub-categories.

These objections should not be overstressed. The book can fairly be called an innovative work. The area of "planned change" is so big and amorphous that conceptual difficulties were almost bound to arise. And despite the difficulties, any of us who spends any serious amount of time trying to bring about change in individuals or organizations can learn two important things from it: First we can learn about what other people do. And I submit that in virgin areas like this there is much to be learned from what other people do. And second we can begin to generalize, albeit crudely, about some common aspects of the processes of change in human systems of many sizes, shapes, and functions.

Public Relations for the Public

By RICHARD A. ATKINS, Syracuse Governmental Research Bureau, Inc.

PUBLIC RELATIONS AND THE EMPIRE STATE—A CASE STUDY OF NEW YORK STATE ADMINISTRATION, 1943-54, by Bernard Rubin. Rutgers University Press, 1958. Pp. xiii, 357. \$7.50.

UNDER Governor Dewey's leadership," Dr. Rubin notes at the outset of this study, "a variety of impressive campaigns were fashioned to make government more understandable to the citizenry."

By the end of his volume on state public relations policies, progress, and personnel during the years of the Dewey administration in New York, the author's enthusiasm has mounted. "Under Governor Dewey's administration," he concludes, "there was a tremendous growth in state-sponsored public relations activities. This development was manifestly in the public interest. Essentially, these activities provided the citizenry of the Empire State with an invaluable informational, promotional, and educational service. New York's public relations enterprise represented a noteworthy stride toward the attainment of the immutable democratic objective of securing an environment favorable to the steady advance of the representative system of government."

In the intervening pages, Rubin establishes a number of points. The public relations program of the state administration had specific executive sanction and support. It was under skillful direction and in competent hands. It permeated all agencies. It showed enterprise and scope. It stood up to its critics. Goals and methods were mapped out and pursued with zeal. These points are developed by the author in ways which disclose a vast amount of careful inquiry at the sources and heavy reliance upon the people immediately involved. Dr. Rubin's study is a fine piece of work.

One can, however, retain some skepticism about the public relations programs described while yet admiring Rubin's description. True,

ordinary common sense suggests that an administrator in charge of a large public enterprise is legitimately entitled to tell his story—he is driven to compete for attention, to anticipate or ward off criticism, and to put his activities in a favorable light. This takes time, money, direction, and a lot of stirring around.

And what is there about the activities of state government which makes them improperly the subject for concerted publicity? Very little, surely, when examined—the cure or custody of the mentally ill, highways and safety on the highways, institutions and social assistance, public education, conservation and natural resources, and so forth. People are rarely the worse for having been exposed to these matters—and there is no case on record of anyone having become demonstrably brainwashed by reading or hearing too much officially-inspired propaganda on bass fishing or the scenic splendors of New York State.

Yet everyone knows there is a point at which it is possible to lay these things on too thick. Rubin occasionally rebels, but not often. He also suggests that there are built-in restraints. The public administrator, he suggests, is not animated by the drives which characterize commercial public relations. This is a dubious assumption, and it seems necessary to look elsewhere for restraints.

Among the limiting factors which occur to this reviewer are a skeptical press, the counter assertions of just plain politics, and that something which tells people when they have had enough—perhaps too much slick paper, too much devotion to lay-out, and one three-color plate too many; the almost inevitable inclination toward the purely personal build-up; undue budget liberality, and the presence of a surfeit of public relations experts.

Rubin's readers will appreciate his concern for intelligent, well-handled public information policies, but they will be reminded once more what a merciful thing it is that the other side of the story also gets through.

Developments in Public Administration

Compiled by WILLIAM B. SHORE

Publications Officer

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Executive Decision-Making: A Critique and Examples

In an angry article, Henry Kissinger, Associate Director of the Harvard Center for International Affairs, flailed the policy-making process of the federal government for characteristics typical of the "incremental" or "branch" method of making decisions described in this issue by Charles E. Lindblom.

"Our society requires above all to overcome its current lassitude, to risk itself on new approaches in a situation different from our historical expectation," Kissinger pleaded. Calling the dependence on committees in decision-making both a cause and a symptom of deeper causes of failure to develop needed policies, Kissinger writes: "*Ad hoc* committees generally can be effective only in a narrowly circumscribed area which may be somewhat ahead of official views but which rarely touches the essence of the problem: to challenge the existing assumptions or to define a new sense of direction." There is pressure to keep decisions within familiar bounds. Almost paraphrasing Lindblom, Kissinger adds, "The executive . . . will consider [the intellectual] hopelessly abstract . . . and the intellectual . . . will always have the feeling that he never had a chance to present the most important considerations."

Kissinger also criticizes the mentality that asks of the adviser "to solve problems, not to contribute to the definition of goals," and the decision-making processes that are "in effect adversary proceedings" of interested agencies in which each overstates his case or phrases it

vaguely to allow for compromise. ("The Policy Maker and the Intellectual," 20 *The Reporter* 30 (March 5, 1959).)

Evidence of "Incremental" Policy-Making

A study of methods used by three business firms to arrive at four management decisions reveals decision-making processes far removed from the thorough, "rational" policy development generally expected but not generally practiced—according to Lindblom.

In the four cases, decision-making was in response to a local, immediate problem rather than part of continuous planning. It was undertaken with no consideration of whether the cost of searching for a solution was likely to pay dividends. Search generally was confined to "evoking from various parts of the organization considerations that are important to the individual subunits." The elements in the decision were simplified to two: whether the project was feasible (usually meaning "within available resources") and whether the project represented an improvement over current practices. Optimization was never considered. Conscious and unconscious bias seemed to crop up in each case and appeared to sway the decision where fairly equal alternatives were presented.

For example, one firm decided to speed the change to a safer type of overhead crane after an accident involving a crane (but not caused by the older type's deficiencies). No thorough safety plan was developed; rather, the belief of some that the new type of crane was a useful contribution to plant safety was elevated

to a policy when the accident raised safety factors to a higher priority. Costs were never figured precisely, cost estimates changed often and substantially throughout the program, and they never were related to optimum return from expenditure but only to whether the money was available.

Another firm decided to seek a new site for one of its departments mainly to counteract the effect of a cut in the department head's profit-sharing contract. These managers did not try to define an optimum site; they only looked for a satisfactory one, described in terms of the present facilities. No effort was made to assign a relative value to various site characteristics; each site had to have all characteristics deemed important.

When the third firm sought a management consultant, there was little difference between the proposals of the two firms invited to bid. (The two were not carefully selected.) The staff committee that made the decision apparently chose the firm they thought top management wanted, based on unspoken indications which may or may not have been intended.

Later, the consultant firm carefully figured direct costs and savings anticipated from revision of the firm's data processing system. However, as long as savings were shown to be greater than costs, the comparative estimated net saving of two proposed systems apparently was a secondary consideration. Availability of reports—to which no monetary value was attached—became the major criterion.

Theory, Research, and Practice

"... social scientists and policy makers rarely agree on definitions of public welfare or on the means of achieving it. . . . There have been many attempts at collaboration, but the record of successful cooperation between specialists on human behavior and agents of government is not a lengthy one," according to anthropologist H. G. Barnett. ("Anthropology as an Applied Science," 17 *Human Organization* 9 (Spring, 1958).)

Research and Responsibility

Using anthropologists as policy-makers in the Pacific Trust Territory was producing confusion, Mr. Barnett observes, until the anthropologist's role was restricted to submitting "data for which he could show evidence. . . .

He was thus to be treated as a technical specialist and not as an administrative officer." Involvement in policy decisions "detracts . . . from his usefulness as a source of unbiased information, because it jeopardizes confidential relationships with his informants and frequently involves him in factional struggles," a memorandum issued by the Commissioner of the Territories explained.

"Since there could be no scientific determination of the ends to be sought . . . , it followed that the anthropologist, acting as a scientist, was not professionally qualified, nor was he charged with the responsibility, to define the purposes of government. . . . It does not follow that those who know a people best know what is best for them." Furthermore there is a difference in goals between scientist and practitioner. Whether the scientist "is right is less important than whether his methodology is appropriate to its purpose; that is, whether it answers the questions asked in ways which can be verified by others."

On the other hand, there have been several situations in which anthropologists have acted as policy-makers, and these instances generated lengthy debate on values and science at the American Anthropological Association meeting in 1957, where Barnett's division of means and ends, the former a subject for science the latter not, was challenged. (Printed in 17 *Human Organization* No. 1 (Spring, 1958).)

The relationship of knowledge or expertness and administrative responsibility also was analyzed recently by Paul H. Nitze, former head of the State Department's Policy Planning staff: "Why can't one take the simple course of saying all power to the egg-heads. . . . ? . . . The man whose orientation is primarily analytical or academic finds it difficult to act resolutely within the limits prescribed by the real situation . . . and finding it difficult he tends to have a distaste for full political responsibility. . . . He nevertheless strives for a free and controlling hand in the guidance of those matters on which his interest focuses. The result is a tendency toward separating responsibility from power, and power from responsibility." ("The Role of the Learned Man in Government," 20 *Review of Politics* 275 (July, 1958).)

Yet the social scientist should feel a sense of responsibility, Chris Argyris argues, because

"of the possible effect on the psychological health of the researcher if he does not feel responsible for activities in which he uses human beings and for results which may be used by others against or toward other human beings." ("Creating Effective Research Relationships in Organizations," 17 *Human Organization* 34 (Spring, 1958).)

Translating this responsibility into action raises problems, however. Nitze quotes a professor of Christian Ethics: "... The scientist is prone to fall into three errors with reference to public affairs." He may deny responsibility and withdraw to his laboratory; he may be shocked by how the world uses his knowledge and "... propose simple solutions to complex problems, see all issues naively and out of context, and make absolute moral judgments where the need is for shrewd compromise." Or he may "... accept the inducements that are offered to him from every hand, ... bestow an indiscriminate blessing upon whatever enterprise will ensure him the prestige and perquisite which he feels are his due." On the other hand, he may master the discipline of public affairs (as Conant and Kilian) or limit his public affairs action to that of a responsible citizen, seeking no extra influences through his special knowledge.

Working Relationships of Scientists and Administrators

If the scientist is not to be the practitioner, the transfer of his knowledge into action is important; this becomes in part a question of the relationship of scientists to administrators.

A professor of social welfare has suggested appropriate roles: the scientist's prime aim is description, the practitioner's is control. For the practitioner, the social scientist's laws of behavior must be converted into principles of control by adding values to his facts. (Note that many of the anthropologists would disagree here as with Barnett that fact and value can readily be separated.)

Speaking of social work in a way applicable to public administration, he continued: More mature practices, such as medicine, have well-defined principles of diagnosis (including a description of problems needing solution, their life cycle and causes plus characteristics by which each problem can be classified as a particular type) and well-defined principles of treatment. Constructing such sets of princi-

ples is "the prime need in social work today."

We cannot expect the practitioner to master the social sciences any more than the doctor is expected to read journals in the basic physical and life sciences. In relating theory to practice, we should use the medical profession as a model. (Ernest Greenwood, "Relationship of Science to the Practice Professions," recently reprinted in 24 *Journal of the American Institute of Planners* 223 (No. 4, 1958).)

Argyris has provided advice to the scientist working on management studies:

1. The subjects must feel the research will do the organization some good.
2. Mutual respect must be developed; often subconscious disrespect of scientist for manager and vice versa exists at the beginning.
3. The researcher should feel "a deep personal regard" for the subjects' problems even if he does not accept their values.
4. He should avoid becoming or seeming to become entangled in the organization—by accepting management's diagnosis as a starting point, attempting to influence other than openly and explicitly, or serving as a communication channel for individuals or groups.
5. He should promise to report the results not only to make the study meaningful to the subjects but also because the feedback session is likely to be very instructive to the researcher. However, interim reporting should not be done because it tends to change the data under study, e.g., behavior of top management.
6. He should get the manager's diagnosis (but not accept it as valid—it probably is not). Encouraging an analysis by the manager helps him compare his diagnosis with the researcher's when the study is completed and may prevent a false feeling that he knew the results all the time.
7. The researcher should be prepared for attempts to manipulate him and should deal with them openly rather than trying to set up rules to prevent it. "To be sure, this may lead to feelings of embarrassment on the part of the administrator which, in turn, may lead to his becoming hostile and aggressive toward the researcher. This is not necessarily 'bad'. . . . (My experience suggests that subjects in organiza-

tions tend to be much more 'at home' with tension and conflicts than do researchers.)" Working through such feelings ends in greater spontaneity and freer expression. Far from resenting efforts to manipulate him, the researcher should recognize this as an indication that the study is of real concern to the subjects.

8. The researcher cannot conceal his thoughts completely from the subjects and may arouse anxiety if he tries to appear completely passive.

Social Science and Business

Applicable social science knowledge often is not used in business, a business administration professor asserted recently. The reasons: (1) scientific answers often challenge long-held prejudices and prove management has been wrong, (2) scientists use jargon not easily understood, (3) most people feel they are experts on human behavior, (4) many fear that "they will find out something bad about me," and (5) management has too little time and ability to translate recommendations into practice. (Joseph W. Newman, "Working with Behavioral Scientists," 36 *Harvard Business Review* 67 (July-August, 1958).)

Nevertheless, social scientists are winning a place in business, doing "spadework in labor relations, market research . . . delving into complex studies of employee motivations, management decision making, measurement of managerial performance and similar areas," the *Wall Street Journal* reports. (Peter B. Bart, "Industry Bumps Into New Shortage: Skilled Social Scientists," Midwest edition, February 11, 1959.) "While some universities report increased student interest in social science programs, the supply of research personnel still is running behind the needs of such companies as American Telephone Co., General Electric Co. and Standard Oil Co. (New Jersey), which have been building up big research staffs." A.T. & T. has seventy social scientists.

". . . Most companies apparently are having plenty of trouble recruiting candidates," partly because the person must be just right for the job. Being in a novel and sensitive position, he must be especially judicious. Also, says a "top research official of one big concern . . . if you try to hire some high powered

professor chances are you won't even be able to understand what he tells you'."

Defense Organization— British Debate Parallels U. S.

Great Britain's Defense Minister has been increasing his authority vis-à-vis the army, navy, air force, and supply ministers since 1950 and the military chief of the defense staff has increased his status since 1955 in relation to the committee of army, navy, and air force staff chiefs, of which he also is chairman. (Before 1955, the chiefs of staff chairmanship rotated among the services.)

Last summer, the Government declared in a White Paper that present arrangements "have been justified by practical experience" and would be continued, implying to some observers that no greater consolidation of Defense Minister powers in relation to service ministers would be requested. "Fairly bitter in-fighting" preceded the policy statement. Compared to a previous statement of responsibility in early 1957, the Defense Minister lost authority to decide policy questions about the pay and conditions of service of the armed forces but gained formal responsibility for "execution of approved operations, while the Chief of the Defence Staff has gained control of the issue of operational orders and the direct allegiance of a staff of military planners."

The new policy carefully sets limits to the Defense Minister's place in the hierarchy in relation to the service ministers (e.g., while service ministers will "normally make proposals to the Minister of Defence, . . . this 'does not . . . prejudice their constitutional right to make submissions to the Cabinet and its Committees'") and to the chief of the defense staff's powers (e.g., he must state any disagreements of service chiefs with his recommendations to the Minister).

This structure, according to one observer, is about as far as one could go and still retain the three separate services; the next step probably must be to a unified defense establishment, but the time is not ripe. (F. M. G. Willson, "Defence Organisation—1958 Style," 36 *Public Administration* 385 (Winter, 1958).)

U. S. Defense Reorganization: "Unending Process"

Definition of the key words "full operational command," in the U. S. Defense De-

partment Reorganization Act of 1958 is still being debated, promising "to be the single most important change in armed services since the establishment of a larger and more powerful Joint Staff to the Joint Chiefs of Staff," Hanson Baldwin, the *New York Times* military analyst has written. ("Scope of Command," February 5, 1959.)

Certain unified commands, for example the Strategic Air Command and Continental Air Defense Command, were given "full operational command" over forces (of all services) assigned to them. The House Armed Services committee report explained the term (though the law itself did not) as "... involving the composition of subordinate forces, the assignment of tasks, the designation of objectives and the authoritative direction necessary to accomplish the mission. . . . It does not include such matters as administration, discipline, internal organization and unit training, except when a subordinate commander requests assistance."

The House committee added a warning against further unification "which would result not in greater unity, but in divisive proliferation."

The definition still leaves uncertain whether a supreme commander can send orders directly to task forces or must send them through subordinate service commanders. Baldwin writes that the White House did not like the House Committee's definition and the Joint Chiefs have developed a new definition, not yet released when he wrote.

In another change in the "unending process of reorganization . . .," a new directive limits those who can give orders to the Joint Chiefs to the Secretary or Deputy Secretary of Defense, checking "at least temporarily, the trend of Assistant Secretaries of Defense toward interference directly in operations." However, relations between the assistant secretaries, the Joint Chiefs, and the unified commands are still hazy, and a recent message from an assistant secretary of defense directly to a unified commander had to be withdrawn when the Joint Chiefs objected.

More recently, an Air Force general chose early retirement after failing to win acceptance of his recommendation that, as commander of the Continental Air Defense Command, he should have control of army and navy personnel and equipment within the command.

(Jack Raymond, "Partridge Retirement Laid to Dispute on Air Defense," *New York Times*, May 3, 1959.)

Earlier, the Administration decided against asking authority to submit a unified Defense Department budget allowing the Secretary to transfer funds among services. "Study of budget history and procedure disclosed that, as many Congressmen had insisted, the Administration in fact had the flexibility it sought in most instances," according to Jack Raymond of the *New York Times*. ("Pentagon Drops Budget Reforms," October 13, 1958.)

Integration within the Army

Greater integration within the army was advocated recently by Major Robert T. Willets in *Armed Forces Management*. (Vol. 5, p. 21 (November, 1958).) New technical developments, with different weapons and equipment for each branch of the army, have divided them even further than before. "The well-built fences of tradition" must be broken down to combine the arms "into one homogeneous element," perhaps retaining combat arms identity at the company level but not higher. Training should be more uniform, supply centralized in a single logistical branch with responsibility from procurement to delivery and with supply officers down to the battalion level. A corps of scientists and engineers should handle all civil engineering, mechanical maintenance, communications, physio-chemical warfare, and aerial transportation. An administrative branch would cover paperwork, personnel, and legal affairs.

Identifying Organization 'Types'

Cosmopolitans and Locals

Members of organizations may be distinguished as "cosmopolitans" and "locals," distinctions that can help assess their loyalty to the organization and outline patterns of informal organization, sociologist Alvin W. Gouldner finds. Also, the distinction points up a possible conflict between expertness and loyalty, since Gouldner (and Saint-Simon much earlier) saw that the expert tended to be a "cosmopolitan."

Based on a two-year study of a college, Gouldner discerned two basic and six subtypes.

The "locals" included: *The Dedicated* who

see the distinctiveness of the organization to which they belong, and the importance of that distinctiveness. They emphasize cooperation within the organization rather than within their own field of specialization and are likely to be transferred from position to position in the organization.

The True Bureaucrat: Loyal "not so much to the college's distinctive values as to the place itself," they are particularly concerned about the views of the surrounding community even more than about maintaining internal agreement. The "dedicated locals" are concerned about the integrity of the organization; the "true bureaucrat" local about its security. One approach to security, they feel, is through formal controls on behavior.

The Homeguard: Their "personal history is intimately interwoven with the organization," either being graduates of the college or married to graduates. Otherwise they are neither particularly committed to the distinctive values of the college nor to the local community, and they seem more closely related to their department than to the college as a whole.

The Elders: More involved than the others in the "informal group structure," they know more colleagues, but they are particularly related to other "elders" and tend to see the organization in terms of its past.

The "cosmopolitans" can be broken into two groups:

The Outsiders: "In" but not "of" the organization," they have more loyalty to their field of specialization than to the college and are close neither to colleagues nor to students.

The Empire Builders: Like the outsiders, their loyalty is more to their field of specialization than to the college, they maintain closer formal relationships and identification with the department and the students, but they resent work requirements outside their own department.

There was evidence that most members of this organization saw a distinction between the cosmopolitan and the local: locals were elected individually to three positions on the administrative council over cosmopolitans. Several cliques were suggested by sociometric data: one of elder and homeguard locals; another excluding cosmopolitan outsiders; an anti-homeguard group; one centering around empire builders; and one centering on elders. ("Cosmopolitans and Locals: Toward an

Analysis of Latent Social Roles," 2 *Administrative Science Quarterly* 444 (March, 1958).)

Other studies have discerned similar differences in loyalty to the organization and to the individual's field of specialization, affecting informal relationships within the organization. (W. G. Bennis, N. Berkowitz, M. Affinito, and M. Malone, "Reference Groups and Loyalties in the Out-Patient Department," 2 *Administrative Science Quarterly* 481 (March, 1958).)

Mobility and Administrative Behavior

The administrator who moves often from job to job does not appear to differ markedly in management approach from the one who stays in the same job relatively long, according to a recent study of 50 school superintendents. But different patterns of administrative behavior begin to show up when the administrators' attitudes toward job-mobility are considered, too.

The superintendents can be divided into four groups: (1) those favoring mobility who are mobile, (2) those favoring mobility who are not mobile, (3) those not favoring mobility who are nevertheless mobile, and (4) those not favoring mobility who are not mobile. (Attitudes toward mobility were tested by questions about the administrator's career goals, values he would sacrifice to move upward, his opinion of the rapid mover and his motives and his opinion of whether mobility contributes to good administration.)

One behavior pattern: the "mobiles" who favor mobility and the nonmobiles who do not favor mobility are more receptive to change in educational method than the other two groups, according to ratings by the superintendents' subordinates. (Melvin Seeman, "Social Mobility and Administrative Behavior," 23 *American Sociological Review* 633 (December, 1958).)

Equating Executive Salaries in Business and Government

Assuming a very close correlation between executive salaries and executive competence, a consultant to government and former business executive, Carl W. Robinson, urged that we seek more efficient public administration by raising salaries of upper-middle and top management. A job evaluation system has

been developed, he claims, which can compare business and government jobs at this level convincingly enough to win support for increased government salaries.

The comparison is based on job characteristics of: special knowledge, experience, scope and complexity, initiative and creativity, contact, working conditions, judgment, and supervision. Through this scale, for example, a particular market research executive in industry and a planning department head in government can be shown to have equally responsible positions and should therefore have equal salaries, according to Robinsor. ("New Price Tags for Government Managers," 36 *Harvard Business Review* 81 (September-October, 1958).)

Internal vs. External Management Audit

Does the outside auditor's responsibility for assuring an adequate system of internal audit and control and for preventing "delay and laxity in effecting improvements" require access to current management analysis reports made by an agency's internal auditors? Would such access inhibit forthright internal audit reports and infringe on the agency head's management responsibilities? These questions have been debated between the General Accounting Office, backed by the House Special Subcommittee on Government Information, and the Department of the Air Force.

Despite a clear requirement in the law to do so, the Air Force refused to give GAO a report on the management of the ballistic missile program by the Department's inspector general. The Secretary of the Air Force relied for his legal justification on the President's constitutional powers to carry out executive responsibilities. The Subcommittee denied that such executive discretion could apply to this situation—in which the law clearly requires the Executive to perform an act.

The Secretary refused to release the inspector general's report because "if these reports were released outside of the department it is only human to expect that there will be a tendency on the part of those making inspections to soften criticism, avoid doubtful matter, and generally be more restrained. Similarly, if those who are questioned are aware that their views may be circulated outside,

they are more likely to be reticent in their comments and to speak for the record." This "would seriously impair the effectiveness of Inspector General reports as an advisory tool," the Secretary told the Subcommittee.

The Secretary also alluded in several places to his responsibility to manage the Air Force. When Subcommittee chairman John E. Moss asserted that this secrecy made him mistrust the Air Force's ability to defend the country, minority Subcommittee member Clare E. Hoffman retorted: "There are some of us . . . who still have some confidence in the ability of the Defense Department to protect us, even though the General Accounting Office does not get all the information it seeks. . . . Money is wasted by millions and we have had instance after instance before our committees and we should keep on and the GAO should keep on, but I still cannot go along with this concept we should turn over our defense to GAO."

The Defense Department has been uncertain about the advisability of providing management analysis reports to GAO. Several inspector general reports on management have been made available to GAO by the Department of the Army. On the other hand, after lengthy negotiations between the Defense Department and GAO, the Department reneged on a promise to issue a directive requiring release to GAO of inspector general reports. The last Secretary of the Air Force under Truman was equally emphatic against release of these reports.

On the other hand, GAO might carry out its own investigation. Why, asked Mr. Moss, should GAO spend \$125,000 making a survey which has already been made? And if the release to GAO of the inspector general's report might reduce the frankness of information given him, how would GAO be able to rely on the answers it received?

The question of GAO access to inspector general reports is quite new. "The Congress," Mr. Moss explained, ". . . looks to the Comptroller General now to do a more comprehensive job of auditing the activities of Government[.] As we are faced with climbing budgets, year in and year out—and it appears we are going to be confronted with continual increases—shouldn't we then concern ourselves with a more careful appraisal of the activities of departments and agencies of Government?

In order to make this more careful appraisal, perhaps we are going to examine into areas where we have not looked before." (Subcommittee of Committee on Government Operations, House of Representatives, *Availability of Information from Federal Departments and Agencies*, Hearings (Part 16), 85th Cong., 2nd Sess., November 12 and 13, 1958; and Report, 86th Cong., 1st Sess. (released March 20, 1959—report number not available).)

Progress (or Only Change?) in Federal Accounting and Auditing

Achievements of the Federal Joint Program to Improve Accounting, sponsored by the Comptroller General, Secretary of the Treasury, and Budget Director, were listed in a ten-year progress report issued early this year: (1) strengthening of agency financial management, (2) installation of monetary property accounting, (3) inauguration of cost-based budget requests, (4) simplification of agency appropriation and allotment structures and control, (5) development of consistent budget and accounting classifications, (6) establishment of suitable internal controls, (7) integration of agency accounting and reporting with central budget, accounting, and reporting needs, (8) development of reports on fiscal status, financial results of operations, and cost of functions, (9) education of personnel in financial management, and (10) establishment of "effective agency accounting systems on an accrual basis to the fullest extent this accounting basis is appropriate."

"Attainment of these objectives," the report noted, "required the adaptation of the best financial management practices of modern private enterprise . . . to the fullest extent appropriate." Accrual accounting, however, may not be appropriately transferred, several critics have claimed. Recently, Colonel Albert S. Raudabaugh, Comptroller of the Air University, asserted that accrual accounting is inapplicable to defense expenditures and a waste of manpower. Business, he recognizes, needs to relate expenses to the resulting income to assure appropriate allocation of resources. There is no monetary value in the goal of defense activities, i.e., combat potential, so it is impossible to relate it to relevant costs. For example, how much, in dollars, is a combat training course worth?

Even unit costs of Air Force operations are difficult to compare, because a base commander has no choice of his personnel or their rank and little control of fixed facilities and their location, all of which affect his costs. ("Defense is not Profit and Loss," 10 *Air University Quarterly Review* 104 (Spring, 1958).)

Some dollar savings are claimed by the Joint Program report, but no total net saving has been figured. Outside of the Defense Department, financial management personnel were cut by 15.4 per cent between 1950 and 1957. (However, the average grade of financial management personnel apparently increased and the number of Defense Department finance personnel increased substantially.) Unnecessary stocks were discovered in several agencies due to better supply control, resulting in cuts in procurement and disposal of surplus. The Atomic Energy Commission has used comparative cost data to select the best plant for an operation. Electronic processing of checks is saving well over \$2 million a year.

In addition, the number of budget requests based on accrual and cost information has increased from four for the 1957 budget to 129 for 1960 ("expected" when the report was written), totalling about \$11 billion and presented by thirty-nine agencies or bureaus. Machine operations have increased for large-volume processing where costs can be cut or where management control improved. Electronic processing is expanding "with the recognition that magnetic tape is acceptable as an auditable record." By June, 1958, 120 large and small computers had been installed. However, "to date, government electronic systems have largely been used for specific segments of programs rather than for integrating controls and procedures in related functional areas." Also, many computers have replaced conventional systems without "thorough systems analysis and reappraisal of management needs."

Auditing Responsibility Adjusted

"The evidence indicates that, in general, greater progress [in auditing principles and practices] has been made during the last decade than during any other period in the history of the federal government," the Deputy Director of GAO's Defense Accounting and Auditing Division, William A. Newman, Jr., believes. ("Evolutionary Changes in Auditing in the Federal Government," 8 *The Federal*

Accountant 41 (December, 1958).) The Joint Program report noted that GAO had eliminated more than 1,200 employees by discontinuing bookkeeping activities which essentially duplicated agency activities. Instead, GAO now makes "reviews and evaluations . . . similar in many respects to those of management surveys made by accounting and engineering firms," Newman writes, with the general objective of determining how management discharges its financial responsibilities.

Similarly, internal auditing has expanded to include study of management procedures as related to finances rather than simply a check of the books. Despite this broadened interpretation of the audit function, emphasis in staffing is still on accounting. Of a total internal auditing work force of 2,400, the Army has 335 CPAs; the Navy has 850 professional accountants, about 10 per cent CPAs; the Air Force has more than 1,900 professional accountants, about 150 CPAs.

The Air Force, Newman notes, has done "notable work" in developing statistical sampling, electronic data processing systems audit, and "detailed audit programs, printed in working paper format, covering those phases of an account or activity which are of primary interest to top Air Force management," used by resident auditors simultaneously throughout the world.

Organizing Government Science Programs

"The reasons for our reverses in the space race lie primarily in the field of organization and planning, not in inadequate technology," asserted Hanson W. Baldwin after the head of the National Aeronautic and Space Administration admitted that we had no long-range space program. Among reasons for these failures, according to the *New York Times* military analyst, are failure of top policy-makers to recognize the psychological importance of space achievements, disagreements between scientists and the military which have led to a multiplicity of agencies working substantially in the same field, and "any number of men, many more than a year ago, with authority but no responsibility, who can say 'no' to suggested space projects. There are very few who can or will say yes." (*The Times*, January 7, 1959.)

On rockets, Wernher Von Braun placed the blame for our falling behind the Soviet Union on indifference to "support research." This has been slighted, he said, because it is hard to prove to the cost accountant that there will be a payoff. Von Braun suggested adding 10 per cent to each missile contract for basic research and requiring regular research reports whose value could determine whether to continue the contract or not. We should not worry too much about research duplication, he added. Von Braun also urged the government to plan further ahead than one fiscal year. (*New Haven Evening Register*, January 21, 1959.)

Organizing for Better Research

The Senate Subcommittee on Reorganization is continuing to study a bill to establish a Department of Science and Technology. Sponsors agree that it is not in satisfactory form; they have submitted it to initiate "positive action toward improving the status of science and scientists, both within and outside of the Federal Government. . . ." (The Subcommittee, *Science Program—86th Congress*, Senate Rpt. 120, 86th Cong., 1st Sess. and Hearings on S676 and S586 "Create a Department of Science and Technology," April 16 and 17, 1959.) At the same time, a subcommittee has been appointed by the new Senate Committee on Aeronautical and Space Sciences to "head off conflicts in responsibility which, if allowed to develop unchecked, could become vested interests impossible to change," according to Lyndon B. Johnson, chairman of the parent committee. The space program directly involves NASA and several Department units and less directly relates to science programs in ten other federal agencies.

About half of the heads of some fifty scientific societies favored a Department of Science and half opposed it in a recent Science Service poll. Science groups whose spokesmen have testified in favor of a Science Department are the Engineers Joint Council (composed of twenty engineering societies), the Scientific Manpower Commission (composed of nominees of ten scientific societies), and the American Chemical Society, plus—speaking as individuals—the chairman of the board of the American Association for the Advancement of Science and the president of Associated Universities, Inc., a joint scientific operation of

nine northeastern universities. Among scientists announced in opposition are participants in the President's Science Advisory Committee and in an AAAS "Parliament of Science" convened last year and the Bell Telephone Laboratories vice president for research. The President's Advisory Committee recommended instead a council composed of representatives of all the federal government science programs, though the group admitted that the council could not coordinate scientific programs by itself. The council has been named, but is preponderantly nonscientist.

At issue are questions of:

Coordination: Can any mechanism other than a department sufficiently coordinate federal science activities and national scientific manpower planning? While proponents stress the importance of such coordination, particularly in establishing priorities, opponents question whether all scientific areas can be included in a department and, if some are left out, whether those now excluded and programs yet to be proposed will be underemphasized as a result of the new department. The Department of Science, they argue, will be looked on as spokesman for science and technology but will in fact have its own more limited constituency. Proponents reply that a department will be able to develop new science programs now without government sponsor. Opponents feel that if scientific programs are separated from departments concerned with the results of research, e.g., the Bureau of Standards from the Commerce Department, this will weaken the bridges between basic and applied research and their ultimate application. Further, some argue, we need policy coordination more than administrative coordination, and the former can be done only at the presidential level not through a department.

Effect on Scientists and Science: One of the main reasons for the bill is to raise the prestige of science and scientists both through the recognition and high-level representation which accompanies cabinet status and the increase in high-level positions which probably will be open to government scientists. Now, many scientific units are small and only slightly related to the main purposes of their department; supporters feel a Science Department would assure these programs appropriate budget and status. Also, they feel it would

encourage closer relationships among scientists. On the other hand, opponents ask whether there is a danger of too much standardization in an activity that should be fluid, whether the scientific approach should not permeate all agencies instead of being siphoned into one, and whether centralization might not decrease detrimentally the independence of scientific units. (A study showed that heads of small scientific units in large agencies do not want to change agencies, though only about two per cent of federal scientific personnel polled felt they were a real part of their department.)

Many scientists explain their opposition as a fear that a central department would be a vehicle to make science "political" and stifle its freedom. The subcommittee reminded them that similar arguments were made by doctors and educators against organizing the Department of Health, Education, and Welfare, and that their fears seem to have been mistaken. "... The time has come," the subcommittee chided, "for the scientific community and the scientists themselves, to take a greater interest in politics and government—to have more confidence in politicians, who are the leaders of our system of government."

Even among those favoring a Department of Science, there are sharp disagreements about which programs should be included. Among agencies at issue are the Atomic Energy Commission, National Institutes of Health, and National Science Foundation. Scientific historian A. Hunter Dupree observed, "As a policy area in the Government, science must be compared not with agriculture or commerce but with economics or security. It is a pervasive thing, which had, even by the 1880's, penetrated so many different areas of Government activity that a joint congressional committee found it impossible to define a separate area for a Department of Science." Most current witnesses, however, were willing to trust a commission to resolve the jurisdictional question.

One witness, the president of the AAAS, proposed including the humanities. "It has been demonstrated," he explained, "that the combination of science and culture are both compatible and efficient in the Smithsonian Institution with its laboratories and art galleries. Universities also combine these areas. It would seem to me that the combination of the

national library facilities, together with an expanded collection, translation, indexing, abstracting, and distribution system would be an important function of this department of science and arts."

Organization in Europe

Great Britain's governmental research program is coordinated through the Lord President of the Council and operates mainly through a Department of Scientific and Industrial Research which, since 1956, is headed by a 13-member executive council. An Atomic Energy Authority is independent of the department but responsible to Parliament through the Lord President. The Netherlands government divides science responsibilities between two organizations, one for applied, the other for "pure" research—the former operating laboratories, the latter only disbursing grants. Several councils composed of scientists, citizens, and officials guide applied research and a single council composed mainly of university representatives, plus advisory committees for specialized areas, guide basic research. German ministries are responsible for research in their own areas, e.g., agriculture and forestry, housing, atomic energy, but the Ministry of the Interior is responsible for scientific activities not directly related to a single government program. (Edward McCrensky, *Scientific Manpower in Europe*, Pergamon Press (1958).)

The Individual and his Job

In addition to organizational problems, the economywide shortage of scientists and engineers has raised concern about the government's ability to compete with other enterprises needing scientific services. (One sample of the increased demand for scientists: this fiscal year, the federal government is spending \$5 billion on scientific programs, substantially more than it spent in the entire first forty years of the century.)

Some recent suggestions to make government work more attractive to scientists relate to increasing the government scientist's prestige and relating his pay more satisfactorily to his achievements. Hugh W. Hunter, Naval Ordnance Test Station, China Lake, has noted that industrial firms spend a great deal of money publicizing their achievements (mostly done with government funds), but the achievements of government scientists are not pub-

licized. "It is proper for the public to know that Philco is producing a Sidewinder missile that is simple, infallible, and cheap. It is also proper that the public be told about the government scientists who invented it, the government engineers who developed it and engineered it for production, and the civilian-military team that checked it out for service use." A Senior Scientific Engineering Service also has been proposed, by the Cordiner committee, to suitably distinguish the outstanding scientists.

The creative nature of much government scientific work makes the position classification pay scale inappropriate, many argue. A U. S. Civil Service Commission staff member, Crawford R. Buell, has analyzed rank-in-the-man or flexible pay plans used in several research agencies in this country and Great Britain and recommended its extension to other government scientific programs. ("Rank-Status for Scientists and Engineers Compared with the Classification Act of 1949," summary of M. A. thesis (multilithed, July, 1958). Full thesis available from Civil Service Commission library. Pay systems in Europe are described in McCrensky.)

Recognition: Goal of Employee Associations

"On the whole," a recent Illinois Legislative Council report stated, "it seems that the general tendency is toward more, rather than less, union activity in the public service," as indicated by recent laws and executive rulings and by "the increasing prominence in the literature of public personnel administration of the theme that individual employees and employee groups should be consulted in the formulation of personnel policy affecting them if the goal is efficient administration." ("Public Employee Labor Relations," Council Publication 132, November, 1958.)

Formal recognition of employee organizations is a major goal of the two large associations of federal employees. The National Federation of Federal Employees' executive council recently called for legislation providing formal recognition and American Federation of Government Employees lodges, surveyed nationally, "overwhelmingly tabbed union recognition as the single most important fac-

tor in improving labor-management relations in the federal government."

Experience with Formal Recognition

Great Britain's forty year history of employee organization recognition (described in B. V. Humphreys, *Clerical Unions in the Civil Service*, Blackwell and Mott, 1958) appears to satisfy British government and employee needs: over 600,000 of the 639,000 non-industrial civil servants are represented in formally-recognized associations; on the other hand, "the Treasury now encourages unionism for its contribution not only to good staff relations but also to effective negotiation." (C. H. Murray, "Black-Coated Trade Unionists," 6 *Administration* (Ireland) 265 (Autumn, 1958).) British civil service unions achieved recognition during World War I. When the government urged industrial firms and their unions to accept compulsory arbitration for the duration, civil service associations asked for and received the same treatment. Since full negotiation had to precede a request for arbitration, recognition and formal discussion began. Similarly, the government encouraged joint labor-management councils in industry; again civil servants used this policy to win acceptance, after considerable resistance, of the National Whitley Council through which all employee associations jointly have discussed with the "official" side such questions as grading and adjustment of salaries to the cost of living as well as grievances.

"Full discussion, compromise and arbitration—these essentials of Whitleyism not alone gave the associations a standing which they formerly lacked, but strongly influenced their outlook and strategy: 'In exchange for the benefits of Whitleyism unions changed from the normal trade union pattern and abandoned the highly questionable subject of a civil service strike,'" wrote Murray, quoting the Humphreys book.

Canadian Civil Service Employee Associations

"Whether or not the Whitley System offers the basis for a satisfactory solution to the problems of negotiation and arbitration for the Canadian Civil Service will undoubtedly be the subject of much discussion during the coming months," wrote the chairman of the Canadian Professional Institute of the Public

Service' Staff Relations Committee. (L.W.C.S. Barnes, "Negotian and Arbitration—the Whitley Council System," 37 *Professional Public Service* 2 (July, 1958).) He emphasized that the National Whitley Council (on over-all government matters) and the departmental councils (on departmental matters) are executive groups whose decisions go into effect upon being reported to the Cabinet or department head, though they can be overridden by Parliament. When agreement cannot be reached, an arbitration system prevails.

Barnes asserted that Whitleyism has been effective in (1) drawing "to unchallenged conclusions" the majority of significant issues facing the civil service, (2) tending "to develop a common desire for co-operation both among Staff Side Associations, on the one hand, and between the Staff and Official Sides, on the other," and (3) producing "demands and reactions which are realistic and significant."

There is generally a feeling that cooperation and friendliness between unions and Canadian cities will increase, according to a recent survey of city officials and unions in the municipal field made for the Canadian Federation of Mayors and Municipalities. (Moshe Z. Prives, "Unionism and the Merit System in Municipal Labour Relations in Canada," 1958) About half of the unions and the great majority of municipalities replying expressed this, citing as reasons the growing education and understanding on both sides and the growing strength of the unions. Most of the municipal executives who replied that relations already were improving cited changes in management rather than in the unions as the cause of improvement. Both sides can contribute to improved relations by learning how the other operates, respondents generally felt.

Seniority vs. merit for promotion is one of the most usual conflicts. Before a merit system is well established, the union usually fights for it. Once gained, it may be opposed by unions who often (though not always) prefer seniority to merit, arguing that morale as well as ability is part of efficiency and seniority promotes higher morale. Some also argue that since payment in government is set for the job and not adjusted to the man, an adequate candidate is all that the government is paying for.

There also is some dispute over the proper

areas of union participation. Nine of the sixteen local unions replying claimed the right to participate in management decisions and credited such participation with the resolution of tensions before they became serious. Three municipal spokesmen concurred. Some municipal officials complained that union leaders are too aggressive in order to make a name for themselves, some that unions wanted too many rules in writing, hamstringing operations.

The Press: Fourth Branch of Government

"The reporter . . . as much as anyone—and more than a great many—helps to shape the course of government." Reporter writer Douglas Cater explains how the newsman and the news gathering system affect policy. ("Government by Publicity" 20 *The Reporter* 14 (March 19, 1959) and 26 (April 2, 1959).)

The reporter, Cater wrote, "is the indispensable broker . . . among sub-governments of Washington. He can choose from among the myriad events that seethe beneath the surface of government, which to describe, which to ignore. He can illumine policy and notably assist in giving it sharpness and clarity; just as easily, he can prematurely expose policy and, as with undeveloped film, cause its destruction."

The last—the reporter's efforts to expose policy prematurely—is a basic problem of the official in dealing with newsmen. A basic problem of the reporter is the official's growing attempt to "manage" the news.

Forcing Policy into the Open

Dean Acheson, explaining why he had cool relationships with the press, said that the secretary of state has to germinate new policies and develop them until they are firm enough to withstand public debate, but the reporter must get news whatever its effect on policy.

The President's press conference also tends to open policy ideas prematurely to the public. "No President should be encouraged or forced to speak offhand on any grave question of national policy," Cater quotes Charles A. Beard as saying, and he illustrates Beard's statement with incidents in which a too-quick remark by the President had serious effects on policy. But, Cater warns, ending the Pres-

ident's press conference might deprive him of the spotlight he needs, letting it swing back to his enemies on Capitol Hill.

Several suggestions for press conference reform have been made, including one—by James Reston of the *New York Times*—that the President should promise to reply to difficult questions in writing later in the week. (The reform proposals, Cater observes, point up the fact that the press plays an "interpellative" role which in other countries is played by an official arm of government, e.g., in the parliamentary question.)

The news gathering system also demands of reporters that they create news, which may not always result in beneficial policies. For example, the early afternoon newspapers on the East Coast go to press between 10 and 10:30 a.m. The day's news has not yet happened, but the afternoon newspaper-reader wants to feel he is reading today's events. So the reporter tries to engineer a comment on last night's events or a prediction on the next day's. Often this effort is aimed at opening to the public a latent controversy or an embryonic policy.

Who's Manipulating Whom?

But it is not only the newsman who tries to manipulate events to make news. The government official has, more and more, begun to use the press for trial-balloon launching or propaganda. The background conference or calculated leak, in which a high-ranking official speaks off-the-record for attribution to "informed circles" or simply to the reporter's own inside knowledge, has been used to alert "the press to the gravity of a situation being overlooked," "to play down the gravity of a situation," to present one side of an intra-government dispute and to promote a new program before it is formally unveiled. The off-the-record conference raises the fundamental question of the moral responsibility of the reporter: Is he "an intelligence agent for his paper and, ultimately, for the American public? Or is he to be made a tool of the government's counterintelligence operations?" He never knows whether he is reporting what an official believes to be true or what the official believes will contribute to the development of effective policy or the proper state of mind of the people. Use of news as a part of policy is

not all wrong, Cater says, but there is an important line, not to be crossed, beyond which government is merely using the press as a propaganda mechanism.

Attempts by officials to "manage" news are not restricted to off-the-record conferences; Reston told the House subcommittee on government information that managing news has become as serious an evil as suppressing it. Reporters, according to Cater, often do not know how to handle the "managed" news break even when they recognize it, e.g., the presidential press secretary's devices to emphasize that the President is working while on vacation or the Democrats' accusation ("utterly without foundation") that Bobby Jones conspired with the President on the golf course to get through the Dixon-Yates contract.

The System and the Spotlight

The news gathering system greatly affects where the publicity spotlight falls, and where the spotlight falls affects the balance of power within government. The presidential press conference, for example, could be of great value to the President, giving more "subtle gradations of meaning" to statements than could a press release. He can use it to intercede in congressional deliberations, subtly address foreign governments, or "with a casual word . . . break an administrative log jam in the vast Federal bureaucracy spread out beneath him." But "to a large extent, its ritual has been shaped by the specialized needs of the press rather than by *his* needs."

News requirements particularly spotlight Congress, which is much better organized and staffed for publicity than the executive branch, where much of the action is geared deliberately to press needs, and public affairs are played out through controversy by colorful personalities.

In fact, it is so important for the press to

retain good relations with Congress that members have special privileges, including suppression of news about scandalous behavior by some. The rise of Senator Joseph McCarthy was caused by "the frozen patterns of the press—which McCarthy discovered and played upon with unerring skill."

For example, there was a clear public impression that the center of federal government power shifted from the President to Congress about 1950. All that really shifted was the news focus—from the Truman Doctrine, Marshall Plan, Point Four etc. to several congressional investigations. The President's prerogatives remained intact on the one hand, and the hearings accomplished very little on the other, yet the shift in public attention did "diminish the usefulness of a great many of the President's chief lieutenants" and raised to "positions of commanding importance hitherto obscure members of Congress."

The power of the press has even shifted power within Congress, giving influence to members skilled in handling press relations even though they are not members of the "inner club" of skilled negotiators and senior statesmen. The power of the press also affects the executive branch, where "the publicity competition often takes on the character of a life-and-death struggle," which includes calculated leaks even of security information.

The Needed Job

. . . Responsible reporters have felt a driving urge to expose the "hidden facts," to relate them, and to furnish a realistic picture of what is happening. It is the job that has to be done if the American system of government is to function properly, Cater concludes. But the growing complication of the subjects with which government, and so reporters, must deal makes "this fantastic role" a difficult one to play.

CREATIVE DECADE FOR ADMINISTRATION

GOVERNMENT is entering an exciting period abounding with challenges for existing policies, organizational arrangements, and administrative methods. The spirit of such a period breathes new life into administration, 'ests the adaptability of men and organizations, and accords high value to the capacity for creative thought and innovative action. Public servants with imaginative ability are drawn to the forefront. Fresh and lively talent is attracted to the public service.

The foundation of this creative era, we believe, is acceptance of two new premises: In foreign affairs, we have accommodated ourselves to world insecurity. However uncomfortable such an accommodation, insecurity need not continue to cast a pall over formulation of policies. In domestic affairs, there is widespread consensus on the responsibilities that American governments at all levels are expected to discharge. Expenditures of local and state governments have doubled in the past decade, and so have both war-related and domestic expenditures of the federal government. While national production has sped upward, since 1951 governments' share has varied only within the narrow range of 19 to 23 per cent.

Public administration has effectively consolidated and even routinized the execution of policies that 'only yesterday' were debated and divisive. Administration is a stabilizer as well as innovator. In fact, innovation presupposes administrative skill in translating the novel into the customary.

Evidences of a new governmental and administrative world are all around us. The major premises of our recent past are being challenged, our ignorance of crucial elements of policy is being admitted and remedies sought, and the very process of policy-making is being scrutinized afresh.

For example, science and technology are so transforming the weapons arsenal and the strategy of defense as to threaten to make a shambles of administrative machinery in-

herited from past wars. "One, if by land, and two, if by sea," and three, if by air, seems to some critics a wrong way to count up defense departments in an era of the count-down and a warning system more complex than Revere's lanterns. Simultaneously with such criticism, the Senate Foreign Relations Committee has undertaken a major reassessment of the substance and processes of foreign policy.

Domestically the whole economy and society are being re-examined. In prospect are a formidable study of recent social trends and of goals for 1970, a Cabinet committee study of economic measures for growth and stability, a wide-ranging review of money and credit institutions as they relate to national economic policy, and continuation of the distinguished work of the Congressional Joint Economic Committee.

Much of the challenge is to state and local governments, whose environment, politics, and agenda are due for drastic shifts. The sheer growth and shifts of population, its urbanization and suburbanization, its concentration in the school and college years, its mobility job-wise, housing-wise, and recreation-wise—all change the dimensions and in some instances the focus of state and local responsibilities.

The search continues, but with sharpened intensity, for new sources of state and local revenue, for greater representativeness in state legislatures, and for the instruments and methods by which urban and metropolitan development can advance, educational goals be redefined and achieved, and transportation problems be resolved.

Imparting zest to the life of public administrators, these challenging prospects also will test creativity, wisdom, and maturity. Men and organizations need to ask themselves whether they are ready to serve well in an innovative period.

JAMES W. FESLER
Editor-in-Chief

DEFICIT IN SEVENTEEN STATES

ARNOLD TOYNBEE has written that "one of the devices by which Life achieves the *tour de force* of keeping itself alive is by compensating for a deficit or surplus in one department by accumulating a surplus or incurring a deficit in another." American optimism, in addition, wants more than equilibrium. It wants progress—a process in which surpluses seek to outrun deficits.

America exhibits agencies and jurisdictions in which centralization and integration of authority have proceeded far under the reorganization movement. Central staff assistants sometimes appear to pile on top of each other, reproducing, reviewing, or bemusing themselves with the labors in the various and extended "lines" below. In other areas, frontier do-it-yourselfism can prevail to the point that rule-of-thumb produces administration which, like the boy on the bicycle, seems to say, "Look, Mom, no hands!" American administration has that bicycle rider even in its urban, asphalt jungles. Ah, wilderness, too, is never far away. In some agencies, new personnel and new positions are added only as a consequence of the most critical construction, evaluation, and measurement of work loads. In other organizations, new jobs are added by the ancient rule that the squeaking wheel gets the grease—not a bad rule for covered wagons but often unreliable in that phase of the human predicament known as public administration.

There are jurisdictions, agencies, segments of administrative authority in the American Union untouched by rational concepts of what we may refer to as scientific management, "trends in public administration," or behavioral science. At the same time there are cultural islands of thought and administrative practice far, far removed from the political grass roots which sustain them. An interesting study might be made of the "administrative" distance which separates officials of Redstone Arsenal, the Department of Defense, space administration offices in Washington, the state Capitol at Montgomery, Alabama, and the county administrators near Redstone.

The diversified state of public administration in the United States is nevertheless a national resource. The administrative economy

of the United States, like the values of our political heritage, is pluralistic. Within it, some surpluses of vital experience and know-how have accumulated. There are also deficits—some glaring, some not so obvious.

The recent ASPA national conference saw decisive action along three major fronts aiming at continued improvement of public administration through ASPA—(1) strengthening communication among university deans and directors of graduate education in public administration and among the directors of university governmental research bureaus; (2) setting up a new program of "agency affiliations"; and (3) increasing recognition of and concern for chapter activity and development. The latter has especial importance.

The Council, at its 1959 national conference sessions, adopted a resolution requesting the National Advisory Committee of the Society to undertake a special review of chapter activities, particularly in regard to membership. Opportunity for informal communication among administrators, for more understanding of the relative and separate roles of international, national, state, regional, local, and functional agencies, has a tremendous bearing on the status of American public administration, its surpluses and its deficits. The chapters provide such opportunity wherever they exist.

There are seventeen states of the American Union where ASPA chapters are not established: Alaska, Arizona, Arkansas, Delaware, Indiana, Iowa, Maine, Montana, Nebraska, North Carolina, North Dakota, South Carolina, South Dakota, Vermont, Virginia (but note the Washington, D. C. Chapter), West Virginia, and Wyoming.* The officers and Council of the Society view this challenge soberly as they plan for chapter development. They rely on the existing chapters to assist in accumulating the surpluses necessary to develop administrative resources in ASPA's "underdeveloped" areas.

G. HOMER DURHAM
President

* Louisiana, Nevada, and Oklahoma have provisional chapters.

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